

THE AM LAW LITIGATION DAILY

Litigator of the Week Runners-Up and Shout-Outs

By Ross Todd

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► Litigators at Munger, Tolles & Olson, Crowell & Moring, Skadden, Arps, Slate, Meagher & Flom, Jones Day and **Latham & Watkins** have been defending the four largest freight railroad companies in the U.S. in long-running antitrust litigation seeking billions in damages based on claims the railroads conspired on fuel surcharges passed along to customers. U.S. District Judge Beryl Howell in Washington, D.C. granted summary judgment to the railroads in a 166-page opinion unsealed late last month, ruling that the plaintiffs’ “underlying evidence . . . does not support the conclusions they propound.” Munger’s Ben Horwich took the overall lead for defendants at the summary judgment argument during a four-hour hearing last month, with Munger’s Kuru Olasa, Skadden’s Julia York and former **Latham** partner **Scott Ballenger** all arguing specific issues. The team representing BNSF Railway Co. included Glenn Pomerantz, Horwich, Olasa, Wesley Burrell, Anne Conley, Lauren Ross and Gabriel Bronshteyn of Munger Tolles with co-counsel Linda Stein and Molly Fox of Steptoe and Joshua Soven of Paul, Weiss, Rifkind, Wharton & Garrison. The team representing **Union Pacific Railroad** included Ty Childress, John Majoras, Kelsey Bryan, Aaron Healey, Carolyn Woodson and Quinten Levin of Jones Day, with **Tim O’Mara** and **Alicia Jovais** of **Latham & Watkins** and their former partners **Ballenger** and **Dan Wall**, as well as Matt Collette of Massey & Gail. The team representing Norfolk Southern Railway Co. included Skadden’s Tara Reinhart, York and Tommy Gentry, with co-counsel Jennifer Patterson of Haug Partners and Ron Wray of Gallivan White & Boyd. The team representing CSX Transportation Inc. included Kent Gardiner, Luke van Houwelingen, Juan Arteaga, Toni Jackson, Eric Enson, Eric Fanchiang, Melissa Nguyen and Rachel Lesser of Crowell & Moring with co-counsel David Wells, Julia Holden Davis and Derek Mountford of Gunster.