

# Susman Godfrey Secures \$19 Million Settlement in NYC Bus Lines Antitrust Class Action

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Press Release – New York (May 21, 2014) — Litigation firm Susman Godfrey has secured a \$19 million cash settlement for customers of two New York City tour bus companies, Coach USA Inc. and City Sights LLC, and their joint venture, Twin America LLC. The settlement ends an antitrust class action against the joint venture, which plaintiffs said eliminated competition between the two bus companies and artificially raised prices for passengers.

*“The Sherman Act is intended to prevent exactly this situation—a sham joint venture between the two biggest head-to-head competitors in a market, explicitly formed to increase prices and reduce competition,” said Bill Carmody, the lead Susman Godfrey attorney on the case.*

Coach USA Inc. and City Sights LLC operate “hop-on, hop-off” New York City bus tours. Each year, more than two million tourists spend more than \$100 million to ride the open-topped double-decker buses. Riders can hop on or off the buses at any of the stops, which include sites such as Times Square, the Empire State Building and the World Trade Center site. Formed in 2009, the joint venture created a monopoly, with the two companies dominating 99 percent of the market and increasing prices by 10 percent.

The anti-competitive agreement caught the attention of the U.S. Department of Justice and the New York Attorney General, who both brought litigation against Twin America and its joint venture partners. However the companies managed to avoid an antitrust probe by applying to the federal Surface Transportation Board (STB) for approval of the deal after the fact. The STB eventually characterized the move as an attempt to manipulate the system and rejected the application, saying that Twin America is “a combined entity that possesses excessive market power and has the ability to raise rates without competitive restraint and otherwise conduct its operations to the detriment of consumers.”

*“Beginning with the landmark Corrugated Container price-fixing case in 1980, Susman Godfrey has represented plaintiffs in some of the largest antitrust cases across the world,” Carmody said. “From complex, high-profile cases like LIBOR, to this case against two tour bus companies, we continue to secure billions of dollars for plaintiffs in price-fixing, market allocation, concerted refusal to deal and monopolization claims.”*

Bill Carmody, Arun Subramanian, Drew D. Hansen, Seth Ard, Megan O'Hara Easley and Mark Hatch-Miller made up the Susman Godfrey team. The case is In re: NYC Bus Tour Antitrust Litigation, case No. 1:13-cv-00711, in the U.S. District Court for the Southern District of New York.