

## The Supreme Court's Antitrust Future: New Directions or Revisiting Old Cases?

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Predicting future Supreme Court actions in any area of the law is, at best, an uncertain exercise. Antitrust law, given its breadth and scope, is even less certain. Doctrine in one area may move lit-

a a a an a f... Weyerhaeuser.<sup>5</sup> I a  
 A anan a... Empagran.<sup>6</sup> C... Pa an<sup>7</sup>  
 n... Reeder-Simco.<sup>8</sup> C... Credit Suisse<sup>9</sup> an Trinko.<sup>10</sup> Fna...  
 fa... C... Leegin a.<sup>11</sup>  
 I... C... an ak a...  
 an... C... S...  
 a... an... C...  
 a... C... an an...  
 a... n...  
 n... C... a... f... J...  
 n Empagran.<sup>12</sup> B... f... a...  
 a... f... n... na... ak... F...  
 f... Un... Sa... a... y... n... f... n...  
 n... y... n... ak... an... n... n... Un...  
 Sa... n... Pan... a... n... n... SaA... 9(09...)-1  
 n... Un... Sa... n... a... J... n... n... US...  
 C... a... y... ha... a... n... pan... f... J... n... na... n... fa...  
 ha... n... f... y... pa... n... J... 9... an... ha... f... a...<sup>13</sup> a...

The Importation of the Government's Amicus Role—the *Schering* Case

an a , p n n n h f n n a a k , y a k n a y n C , s  
na a , na n n n n f n n h C , ' an k n n p -  
n a k n a a a , a n n n a n f n n n a n a p a a  
a p a . In n na p a a a p f , n S , G n a , a  
a f n , na an p an n f n n n an a h C , a p f .  
h C , f n k n a f n S , G n a an f n , f n na a .  
h F a Ta C , n , a n f , y n n n C , ' an  
k n n n f n E n n O ' n n n Schering a .<sup>16</sup> n a  
n s a n p a y n n n n f a p a n p n .  
h C , n a p a a k h C , n n n h C , n a p p h  
p p a a n a n a a n f n p p , y p a y n p a p a n n s a p a , y  
na n n n a , y n p a n , n p a n n a n na a s a y n , y  
n n a k f a p s f n n a n f n p a y n . h C , n n

J. H. ... a a a f ... an ... a.<sup>22</sup> ...  
... a a y ... fa ...  
... Leegin ...

**The Scope of the State Action and Twenty-First Amendment Defenses in Liquor Pricing.**

... Ca f, na n a n a n Midcal ...  
... C ...  
...<sup>23</sup> ... an ...  
... Midcal C ...

... an ana, y p. ... Ca f, na'  
... an 1980, ...  
... 1911 Dr. Miles ...<sup>25</sup>  
... Leegin,<sup>26</sup>  
... Leegin a, y, f -  
... Ca f, na a, y, y a n  
... Midcal ...  
... Midcal C, Ca f, na' s a n  
... 28 ... a, y a n.

...  
...  
... f a a n ...  
... -Leegin  
... Midcal C, ...  
... Midcal,  
... an.

... T n, y A n n ... Ca f, na a, y, y  
... Midcal.<sup>29</sup> I ... -Leegin ... T n, y  
... a Ca f, na' a n f s an a a k, n f a a n

... T n, y A n n p a ...  
... Midcal C, ...  
...<sup>30</sup> Ra n, h C, f ...

...<sup>31</sup> In *Midcal*, the California Supreme Court held that the California antitrust laws do not apply to a franchise agreement between a franchisor and a franchisee. *Dr. Miles* is a California case, but it is not a California case. *Leegin* is a California case, but it is not a California case.

The California Supreme Court in *Midcal* held that the California antitrust laws do not apply to a franchise agreement between a franchisor and a franchisee. *Rice v. Norman Williams*.<sup>33</sup> The California Supreme Court in *Midcal* held that the California antitrust laws do not apply to a franchise agreement between a franchisor and a franchisee. *Rice v. Norman Williams*.<sup>33</sup> The California Supreme Court in *Midcal* held that the California antitrust laws do not apply to a franchise agreement between a franchisor and a franchisee. *Rice v. Norman Williams*.<sup>33</sup>

*Rice* is a California case, but it is not a California case. *T. N. F. A. N. N.* is a California case, but it is not a California case. *Midcal*, *Rice*, *T. N. F. A. N. N.*, *Leegin*, *A. A. A.*, *A. A. A.*, *Leegin*, *A. Y. A. N.*

**Can the Antitrust Exemption for Baseball Survive *Leegin*?** If *Leegin* is a California case, then the California antitrust laws do not apply to a franchise agreement between a franchisor and a franchisee. *J. H. v. 1922 Federal Baseball Club of Baltimore, Inc. v. National League of Professional Baseball Clubs*<sup>35</sup>

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