

## Antitrust Case Against Comcast Certified

A federal judge has certified a class action antitrust suit against cable television giant Comcast Corp. that alleges the company set out to establish monopolies in the Philadelphia and Chicago markets and then increase prices once it had eliminated all the competition.

In his 37-page opinion in *Behrend v. Comcast Corp.*, U.S. District Judge John R. Padova certified a class of Comcast subscribers in the 16-county Philadelphia metropolitan area, including six Pennsylvania counties, two Delaware counties, and eight New Jersey counties.

The ruling could reverberate throughout the cable industry because the suit alleges that many of the big cable companies cooperated in carving up much of the nation into separate markets where each would be exclusive providers.

But Comcast is likely to take an immediate appeal - a move that could stall the suit for a year or more. Under a recently enacted amendment to Rule 23, decisions on class certification motions are immediately subject to discretionary appellate review.

The plaintiffs in the suit, a group of cable subscribers, claim that Comcast and its would-be competitors struck a series of deals in which they "swapped" assets and customers so that each company would have "clusters" of markets.

Plaintiffs lawyers contend that the deals were designed to eliminate competition.