

WINNER

Freshfields Bruckhaus Deringer

**PACO CANTOS; JOHN DAVIES;
NICHOLAS FRENCH**

The PepsiCo/Coca-Cola competition case

Freshfields Bruckhaus Deringer is an acknowledged global leader in competition law with, at the very least, the definitive European practice. But its involvement in many of the most ground-breaking and important behavioural antitrust cases marks it out as the clear winner this year.

Led by the incomparably astute John Davies, Freshfields grappled with arguably the case of the decade when it was chosen by PepsiCo to front its abuse of dominant position case against the mighty Coca-Cola in 1997. Davies, ably supported by partners Nicholas French and Paco Cantos, took this case of immense magnitude to the competition authorities, prompting the European Commission to launch dawn raids at Coca-Cola premises in five European countries during 1999 and 2000. In October 2004, a settlement decision was achieved covering Coca-Cola's future practices in 27 European Union and EFTA member states. For Freshfields, this represented a successful outcome to every practice complained about in 1999. The case also modelled the way in which the formal commitment procedure, which came into force on 1 May 2004 with the EC competition law reforms, will be implemented in future.

Apart from PepsiCo's overwhelming delight in achieving an astounding victory, the outcome received public support from European Competition Commissioner Mario Monti, outlining that this was a victory for consumer choice.

This was another major achievement by Freshfields and one that will sit among its many great triumphs in competition law.



(L to R): Ian Hislop, Nicholas French, Paco Cantos, John Davies, with Mark Wagner of Shilton Sharpe International

HIGHLY COMMENDED

DLA PIPER RUDNICK GRAY CARY

Mike Pullen

DLA's UK practice has established a reputation for pugnacity, winning the patronage of clients such as Emirates and Virgin Atlantic. Building on a run of good form in cartel cases, Mike Pullen represented Pernod

not lost any of its vigour, particularly with Christopher Thomas leading Novell's part in the European Commission's abuse of dominant position investigation into Microsoft. Against the odds, Lovells achieved a favourable remedy for its client.

MACFARLANES

Marc Israel; Jane Whittaker

In the IBA Health case, Macfarlanes' innovative use of the Enterprise Act 2002 enabled it to successfully challenge the merger clearance of iSOFT/Torex on behalf of IBA Health. In achieving such a defining result, the timely promotion of Marc Israel to the partnership in May 2004 outlined the emergence of this practice, led by the experienced Jane Whittaker.

SLAUGHTER AND MAY

Bertrand Louveaux; Malcolm Nicholson

When it comes to merger clearances there can be few as equipped as Slaughter and May's celebrated team. In the Littlewoods/GUS Home Shopping merger it was widely considered a near impossibility that the firm would achieve clearance on behalf of the Barclay brothers and Littlewoods. But yet again the revered Malcolm Nicholson and Bertrand Louveaux pulled off an astonishing result.

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Ricard in re-opening the Office of Fair Trading's abuse of dominant position investigation into Bacardi. The case established that no OFT assurance, whether private or public, was beyond scrutiny.

LOVELLS

Christopher Thomas

Lovells has shown off its fine contentious skills in a range of headline-grabbing cases. With John Pheasant now back in London full time, the Brussels team has

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