

Bond Case Briefs

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Comprehensive Security Inc. v. Metropolitan Government of Nashville and Davidson County

United States District Court, M.D. Tennessee, Nashville Division - August 14, 2018 - F.Supp.3d - 2018 WL 3853201

Private, security-for-hire provider, which employed police officers, brought action against metropolitan government for city and county, alleging violations of Sherman Act for monopolization and attempted monopolization with regard to secondary employment opportunities for police officers.

Government moved to dismiss.

The United States District Court held that:

- Broad state police powers did not constitute a clearly articulated and affirmatively expressed state policy to authorize anticompetitive conduct and thus did not provide basis for antitrust immunity under state action doctrine, and
- Alleged anticompetitive conduct was not foreseeable result of power delegated to municipalities under Private Protective Services Licensing Act, and thus Act did not provide basis for application of state action immunity.