

Gary Sesser Quoted by Law360 Regarding AmEx Antitrust Ruling

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Litigation partner Gary D. Sesser was quoted in the February 20 *Law360* article on last week's antitrust ruling which invalidated the rule imposed by American Express preventing merchants from suggesting that consumers use another credit card with lower merchant fees. In "AmEx Antitrust Ruling Could Pay Off For Consumers," Sesser noted that "even if lowering fees on merchants won't lead to lower prices for consumers, it doesn't mean consumers will be left out in the cold." "Although American Express charges more, merchants take the card because its holders tend to be more affluent. And the company's higher fees allow American Express to provide generous rewards to keep customers loyal, like offering 2 percent cash back on purchases," possibly leading cardholders to push back if merchants suggest that they use a lower cost card.

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