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## *Extradition in Price Fixing Case the Latest Reminder of the Reach of U.S. Antitrust Laws*

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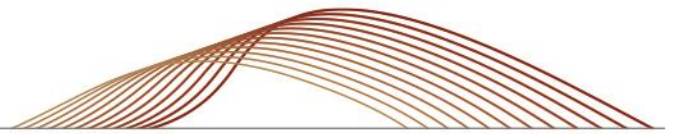
The U.S. Department of Justice Antitrust Division announced the extradition of a former air cargo executive from Italy to face charges of price fixing in U.S. federal district court in Georgia. The announcement serves as the latest reminder that enforcement of U.S. antitrust laws can reach well beyond its borders.

Maria Christina “Meta” Ullings, a Dutch national and a former sales and marketing executive at a European air cargo company, was indicted on September 21, 2010. Ullings is alleged to have participated in a worldwide conspiracy to fix prices of air cargo between January 2001 and February 2006. She remained at large between her 2010 indictment and apprehension by Italian authorities in July 2019 while visiting Sicily. Ullings will be arraigned in Atlanta, where the charges are pending.

Ullings allegedly conspired with others to coordinate surcharges that customers in the United States and elsewhere paid for air cargo shipments that included heavy equipment, perishable commodities, and consumer goods. If convicted, Ullings faces a maximum of 10 years in prison and up to \$1 million criminal fine. The maximum fine may be increased to twice the gain or twice the loss suffered by the victims if either are greater than the statutory maximum. Her employer pleaded guilty to participating in the conspiracy in 2008 and agreed to pay criminal fines of \$42 million. Another former executive of the company pleaded guilty to price-fixing charges in 2009, and agreed to serve eight months in prison and pay \$20,000 in fines.

“This extradition ruling by the Italian courts—the seventh country to extradite a defendant in an Antitrust Division case in recent years, and the second to do so based solely on an antitrust charge—demonstrates that those who violate U.S. antitrust laws and seek to evade justice will find no place to hide,” said Assistant Attorney General Makan Delrahim of the Department of Justice’s Antitrust Division. “The Division appreciates the cooperation of the Italian authorities in this matter. With the assistance of our law enforcement colleagues at home and around the world, the Division will aggressively pursue every avenue available in bringing price fixers to justice.”

The only other extradition based solely on antitrust charges involved similar circumstances. Romano Piscioti, an Italian national and former marine hose executive, was detained by German authorities when he traveled to Germany in 2014 pursuant to an Interpol “Red Notice” requested by the Antitrust Division after Italian authorities refused to extradite him. A one count indictment filed under seal in 2010, and later unsealed in 2013, alleged that Piscioti had conspired to fix prices and rig bids in the marine hose industry. The extraditions of Ullings and Piscioti serve to remind companies and their



employees of the long reach of U.S. antitrust laws, and increased cooperation between U.S. and foreign antitrust authorities.

Following a decrease in total criminal fines and penalties for antitrust violations in recent years as compared to the prior decade,<sup>1</sup> the Antitrust Division recently [announced a Strike Force](#) to increase detection of collusion by companies that contract with the U.S. government, including outside of the United States. The Antitrust Division last year announced an increasing emphasis on corporate compliance programs, moving away from an all-or-nothing approach to leniency. Companies can now receive credit at the charging stage for a corporate compliance program.<sup>2</sup> And the Division's leniency program continues to be at the heart of the Division's pursuit of criminal cartel behavior. Early investigation and awareness of issues giving rise to potential antitrust violations is the best way to take advantage of the Antitrust Division program and to prevent or mitigate potential criminal exposure.



*If you have any questions concerning these developing issues, please do not hesitate to contact any of the following Paul Hastings Washington, D.C. lawyers:*

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<sup>1</sup> See U.S. Dept. of Justice Antitrust Division, Recognizing Antitrust Conspiracies and Working with the Antitrust Division at 28, <https://www.justice.gov/atr/page/file/1214191/download>.

<sup>2</sup> For additional guidance about the Antitrust Division's evaluation of compliance policies, see <https://www.paulhastings.com/publications-items/details/?id=c5a7366e-2334-6428-811c-ff00004cbded>.

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