

March 3, 2021 **held**

_____, among other things, that a district court did not abuse its discretion in ordering a divestiture remedy in an antitrust case brought by private party challenging a consummated acquisition. This is a significant ruling, as it appears to be the first case in which a court has ordered a divestiture in such circumstances.

Background

The case involves companies in the door manufacturing industry. The defendant, JELD-WEN, manufactures doorskins (used for the outer parts of doors) as well as complete doors. The plaintiff, Steves & Sons, manufactures complete doors but purchases doorskins as inputs from other manufacturers. Steves was a doorskin customer of JELD-WEN under a supply agreement. In October 2012, JELD-WEN acquired CMI, another doorskin supplier. (Steves had earlier “shown interest” in acquiring CMI.) According to the court, the “CMI merger reduced the number of American doorskin manufacturers from three to two,” yet the U.S. Department

This memorandum is not intended to provide legal advice, and no legal or business decision should be based on its content. Questions concerning issues addressed in this memorandum should be directed to:

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