

Table Summarizing Antitrust “No Poach” and Wage-Fixing Agreement Acquittals and Dismissed Cases

| No. | Case | Allegations | Result |
|-----|--|---|--|
| 1. | <i>United States v. Jindal, et al.</i> , No. 4:20-cr-00358 (E.D. Tex.) | Alleged “conspiracy to fix prices by lowering the rates paid to physical therapists and physical therapist assistants in north Texas”; first ever criminal wage-fixing case. ¹ Three-year term of probation and \$10,000 criminal fine imposed on obstruction conviction. | Jury acquittal on wage-fixing count; conviction on unrelated obstruction count based on making false and misleading statements to the FTC (April 14, 2022) (Doc. No. 112) |
| 2. | <i>United States v. Davita, Inc.</i> , No. 1:21-cr-00229-RBJ, 2022 WL 1288585 (D. Colo. Mar. 25, 2022) | Alleged conspiracy “to allocate senior-level employees by agreeing not to solicit each other’s senior-level employees from as early as February 2012 until as late as July 2017” and “conspiring with another health care company from as early as April 2017 until as late as June 2019 to allocate employees by agreeing that the other health care company would not solicit DaVita’s employees.” ² | Jury acquittal of all defendants on all counts (April 15, 2022) (Doc. No. 264) |
| 3. | <i>United States v. Manahe</i> , 2:22-cr-13 (D. Me.) | Alleged conspiracy among “owners and/or managers of home health care agencies” to “eliminate competition for the services of Personal Support Specialist (PSS) workers by agreeing to fix the rates paid to these workers and by agreeing not to hire each other’s workers.” First case involving “wage fixing and worker allocation schemes in the PSS industry.” ³ | Jury acquittal of all four defendants (March 22, 2023) (Doc. No. 251) |
| 4. | <i>United States v. Patel</i> , 3:21-cr-220 (D. Conn.) | Alleged conspiracy “to allocate employees by agreeing not to hire or solicit employees from each other’s companies.” First case involving “labor market allocation in the aerospace engineering services industry.” ⁴ | District Court granted Rule 29 Motion for Judgment of Acquittal prior to defense case presentation and jury deliberation (April 28, 2023) (Doc. No. 599) |
| 5. | <i>United States v. Surgical Care Affiliates LLC</i> , 3:21-cr-11 (N.D. Tex.) | Two separate conspiracies alleged in Texas and Colorado “to allocate senior-level employees by agreeing not to solicit each other’s senior-level employees.” ⁵ | DOJ motion to dismiss case without explanation (Nov. 13, 2023) (Doc. No. 203) |

1 **Press Release**, U.S. Dep’t of Justice, Former Owner of Health Care Staffing Company Indicted for Wage Fixing (Dec. 10, 2020)

2 **Press Release**, U.S. Dep’t of Justice, DaVita Inc. and Former CEO Indicted in Ongoing Investigation of Labor Market Collusion in Health Care Industry (July 15, 2021)

3 **Press Release**, U.S. Dep’t of Justice, Four Individuals Indicted on Wage Fixing and Labor Market Allocation Charges (Jan. 28, 2022)

4 **Press Release**, U.S. Dep’t of Justice, Six Aerospace Executives and Managers Indicted for Leading Roles in Labor Market Conspiracy that Limited Workers’ Mobility and Career Prospects (Dec. 16, 2021), see also Indictment, *United States v. Patel*, No. 3:21-cr-220-VAB (D. Conn. Dec. 15, 2021) (Doc. No. 20).

5 **Press Release**, U.S. Dep’t of Justice, Health Care Company Indicted for Labor Market Collusion (Jan. 7, 2021)

