

## Zelle Hofmann Obtains Summary Judgment in Pet Food Express Ltd. Breach of Contract Dispute

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Zelle Hofmann attorneys obtained summary judgment for retailer Pet Food Express Ltd. on antitrust counterclaims and defenses brought against it by a supplier in a breach of contract dispute (*Pet Food Express Ltd. v. Royal Canin USA, Inc.*, No. CV 09-01483, U.S. District Court for the Northern District of California). The supplier alleged that the supply and market development agreement at issue violated California and federal price discrimination laws, and was therefore unenforceable as an “illegal” contract. The District Court for the Northern District of California granted Pet Food Express’s motion for summary judgment, finding, among other things, that the supplier failed to demonstrate that the agreement caused harm to competition or competitors. Zelle Hofmann partner Judith Zahid and associates Eric Buetzow, and Heather Rankie, and former Zelle Hofmann associate Patrick Clayton, represented Pet Food Express Ltd. on the antitrust issues in the matter.