

## Another Trucking Co. Settles Out Of No-Poach Suit

*Law360*

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Covenant Transport is the latest trucking company to reach a deal with a proposed class of truck drivers that have accused it and others in the industry of quashing competition for good employees by agreement not to hire each other's drivers.

The California federal court that's overseeing the suit received word Friday that Covenant had reached a settlement with the drivers that would secure its exit from the litigation it has been ensnared in for more than a year.

The litigation itself is more than four years old, but Covenant wasn't added to the suit until spring 2020. Friday's filing was light on the details of the settlement itself, saying only that Covenant and another Covenant-related company, Southern Refrigerated Transport, had reached an agreement with the help of a mediator.

These settlements follow in the footsteps of other companies who have already inked deals with the truckers to escape the no-poach claims. Covenant's agreement comes on the heels of ones with two other companies, Paschall Truck Lines and Schneider National Carriers, earlier this summer.

The litigation has been percolating through California federal court — first under U.S. District Judge Fernando M. Olguin and later under U.S. District Judge Stanley Blumenfeld Jr. — since mid-2017, when the case was removed from state court.

At the time, it only named CRST International and 100 unknown Does in its allegations that were largely employment-based.

But through a series of amended complaints, the defendant list grew to include many more companies, including C.R. England and Western Express. The allegations morphed as well, transforming the litigation into one that laid largely antitrust claims accusing the companies of shaking hands on a deal not to poach each other's employees.

The trucking companies have tried to get the suit dismissed several times to no avail. Some companies fought back against the no-poach allegations by arguing that not hiring each other's drivers was something done in the industry, not to avoid competition but to avoid litigation from the rival whose employee was hired away.

Representatives for the settling parties did not immediately return a request for comment.

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The drivers are represented by Susman Godfrey LLP, Mayall Hurley PC, Melmed Law Group PC and Ackermann & Tilajef PC.

CRST is represented by James V. Dick and Jeetander T. Dulani of Pillsbury Winthrop Shaw Pittman LLP and Christopher C. McNatt Jr., James H. Hanson, R. Jay Taylor Jr. and Charles Andrewsavage of Scopelitis Garvin Light Hanson & Feary PC.

Schneider is represented by Mathew C. Kane, Amy E. Beverlin, Amy Manning, J. Brent Justus, Nicholas J. Giles and Jason L. Chrestionson of McGuireWoods LLP.

C.R. England is represented by Drew R. Hansen and Seth M. Goldstein of Nossaman LLP.

Western Express is represented by Richard D. Marca, Jeff T. Olsen and Ankit H. Bhakta of Varner & Brandt LLP.

**Covenant is represented by Chris J. Merrick of Flaster Greenberg PC.**

The case is Curtis Markson et al. v. CRST International Inc. et al., case number 5:17-cv-01261, in the U.S. District Court for the Central District of California.

Read more by [clicking here](#).

#### **ATTORNEYS MENTIONED**

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