

Trial Of The Century Day 1: Tough Day For The Companies

By [Blair Levin](#) | December 10, 2019

Throughout the course of the trial, we will endeavor to update clients on particularly important days (though not necessarily daily). Today, we saw a pretty tough day for the companies, as one would expect given that the states are putting on their side of the case. The states used the witnesses to introduce texts and emails that were helpful for the states' argument that the unconditioned 4-to-3 merger violates the law, that T-Mobile and Sprint are direct competitors, that Sprint has other options to the merger, and that the deal could result in increased prices. In addition, the judge declined to hear opening statements and sought to curtail the witness lists, making it more difficult, in our view, for the companies to re-frame the core arguments. While nothing changed our odds, we can clearly see how the states are setting up their arguments.

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