



Department of Justice

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The Department of Justice today filed a civil antitrust suit charging the Coffee County, Alabama, Bar Association with illegally conspiring to restrain trade in residential real estate closings by excluding competitors from that business in the Coffee County area.

Attorney General Benjamin R. Civiletti said the civil suit, which charged a violation of Section 1 of the Sherman Act, was filed in U.S. District Court in Montgomery, Alabama.

Assistant Attorney General Sanford M. Litvack, in charge of the Antitrust Division, said the complaint alleged that the defendant took steps to exclude Coffee County Abstract and Title Co. and local real estate agencies from the business of closing residential real estate transactions.

In the Coffee County area, real estate closing services for transactions involving new loans are provided by members of the Coffee County Bar Association and Coffee County Abstract and Title Co.

Real estate closing services for transactions involving the assumption of an existing loan are provided by members of the Bar Association and some real estate agencies.

According to the suit, the defendant Bar Association concertedly refused to provide necessary legal services to Coffee County Abstract and Title and real estate agencies.

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It also, according to the suit, adopted and published a resolution which sought to prohibit Coffee County Abstract and Title and real estate agencies from providing residential real estate closing services by stating, without a legal basis for that conclusion, that offering such services was the unauthorized practice of law.

These activities were intended to prevent Coffee County Abstract and Title and local real estate agencies from competing with lawyers in closing residential real estate transactions, the suit charged.

The suit asks that the defendant and its alleged co-conspirators be enjoined from (1) continuing the conspiracy, (2) adopting resolutions or collective statements with the purpose or effect of preventing Coffee County Abstract and Title or real estate agencies from offering residential real estate closing services, and (3) concertedly refusing to deal with Coffee County Abstract and Title or real estate agencies, among other things.

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