## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA U.S. Department of Justice, Antitrust Division 450 Fifth Street N.W., Suite 4000 Washington, DC 20530

STATE OF ARIZONA 2005 N. Central Avenue Phoenix, AZ 85004

STATE OF ARKANSAS 323 Center Street, Suite 200 Little Rock, AR 72201

STATE OF CALIFORNIA 300 South Spring Street, Suite 1702 Los Angeles, CA 90013

STATE OF COLORADO 1300 Broadway, 7th Floor Denver, CO 80203

STATE OF CONNECTICUT 165 Capitol Avenue Hartford, CT 06106

DISTRICT OF COLUMBIA 400 Sixth Street, N.W. Washington, DC 20001

STATE OF FLORIDA PL-01 The Capitol Tallahassee, FL 32399-1050

STATE OF ILLINOIS 115 S. LaSalle Street, Floor 23 Chicago, IL 60603

STATE OF MARYLAND 200 St. Paul Place, 19th Floor Baltimore, MD 21202

#### **COMPLAINT**

1:24-cv-3973

JURY TRIAL DEMANDED



COMMONWEALTH OF MASSACHUSETTS One Ashburton Place, 18th Floor Boston, MA 02108

STATE OF MICHIGAN 525 W Ottawa St. Lansing, MI 48933

STATE OF MINNESOTA 445 Minnesota Street Saint Paul, MN 55101

STATE OF NEVADA 8945 West Russell Road., Suite 204 Las Vegas, Nevada 89148

STATE OF NEW HAMPSHIRE 1 Granite Place South Concord, NH 03301

STATE OF NEW JERSEY 124 Halsey Street, 5th Floor Newark, NJ 07101

STATE OF NEW YORK 28 Liberty Street New York, NY 10005

STATE OF NORTH CAROLINA P.O. Box 629 Raleigh, NC 27602

STATE OF OHIO 30 E. Broad Street, 26th Floor Columbus, OH 43215

STATE OF OKLAHOMA 15 West 6th Street Suite 1000 Tulsa, OK 74119

STATE OF OREGON 1162 Court Street, N.E. Salem, OR 97301



COMMONWEALTH OF PENNSYLVANIA Strawberry Square, 14th Floor Harrisburg, PA 17120

STATE OF RHODE ISLAND 150 South Main Street Providence, RI 02903

STATE OF SOUTH CAROLINA P.O. Box 11549 Columbia, South Carolina 29211

STATE OF TENNESSEE P.O. Box 20207 Nashville, TN 37202

STATE OF TEXAS P.O. Box 12548 Austin, TX 78711-2548

COMMONWEALTH OF VIRGINIA 202 N. 9th Street Richmond, VA 23219

STATE OF WASHINGTON 800 Fifth Avenue, Suite 2000 Seattle, WA 98104-3188

STATE OF WEST VIRGINIA 1900 Kanawha Boulevard East Capitol Complex Building 6, Suite 401 Charleston, WV 25305

STATE OF WISCONSIN P.O. Box 7857 Madison, Wisconsin 53707

and

STATE OF WYOMING 109 State Capitol Cheyenne, WY 82002,

Plaintiffs,



v.

LIVE NATION ENTERTAINMENT, INC. 9348 Civic Center Drive Beverly Hills, CA 90210

and

TICKETMASTER L.L.C. 9348 Civic Center Drive Beverly Hills, CA 90210,

Defendants.



### **Table of Contents**

I.	Introduction	2
II.	Defendants Live Nation and Ticketmaster	8
III.	Industry Background	9
A.	How Live Concerts Work	9
В.	Money Flows Across the Live Entertainment Industry	. 16
C.	Live Nation's "Flywheel"	. 23
D.	History of Live Nation and Ticketmaster	. 27
IV. Ecos	Live Nation Maintains Monopolies and Market Power Across the Live Concert ystem Through an Anticompetitive and Exclusionary Course of Conduct	. 30
A.	Oak View Group: Nascent competitor to a self-described "hammer" for Live Nation.	31
В.	Live Nation threatens rivals to blunt expansion into U.S. concert promotions	. 34
C. tic	Using "carrots" and "sticks," Live Nation locks venues into exclusive, long-term keting agreements with Ticketmaster that shut out competition.	. 36
	Ticketmaster's long-term exclusive agreements with venues are designed to lock up are and lock out competition, which forecloses a substantial share of primary ticketing arkets.	. 40
E.	Live Nation restricts access to its venues unless Live Nation is paid be the promoter.	. 45
F. ri	Live Nation strategically acquires promoters, venues, and festivals to eliminate vals, expand its network, and grow its "moat."	. 46
V.	Anticompetitive Effects and Competitive Harm	. 53
VI.	Relevant Markets and Monopoly Power	. 57
A.	Primary Ticketing Services Markets	. 59
	i. Primary Ticketing Services to Major Concert Venues	. 60
	ii. Primary Concert Ticketing Offerings to Fans at Major Concert Venues	. 64
В.	Concert Promotions Services Markets	. 69
	i. Concert Booking and Promotion Services to Major Concert Venues	. 69
	ii. Promotion Services to Artists	. 72
C.	Artist Use of Large Amphitheaters	. 74
VII.	Jurisdiction, Venue, and Commerce	. 76
VIII.	Violations Alleged	. 78
IX.	Request for Relief	102
X.	Demand for a Jury Trial	104



# DOCKET

## Explore Litigation Insights



Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## **Real-Time Litigation Alerts**



Keep your litigation team up-to-date with **real-time** alerts and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## **Advanced Docket Research**



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## **Analytics At Your Fingertips**



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

#### API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

#### **LAW FIRMS**

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

#### **FINANCIAL INSTITUTIONS**

Litigation and bankruptcy checks for companies and debtors.

### **E-DISCOVERY AND LEGAL VENDORS**

Sync your system to PACER to automate legal marketing.

