

Legal Procedure

DEPARTMENT OF TRANSPORT
2 MARSHAM STREET LONDON SW1P 3EB

01-212 3434

(2)

Prime Minister

MUS 29/7

28 July 1983



The Rt Hon Sir Michael Havers QC MP
Attorney General
Law Officers Department
Royal Courts of Justice
Strand
LONDON WC2A 2LL

De Michael

ml

AVIATION ANTITRUST LITIGATION

I have seen that the Court of Appeal have given judgment in favour of British Airways and British Caledonian on the question whether the Laker Liquidator should be enjoined against pursuing his treble damage antitrust suit against them in the United States courts. It appears that a key element leading to this judgment was the Order and Directions made under the Protection of Trading Interests Act (and that the validity of these, which had been challenged, was successfully defended).

I recognise that there may even in this civil litigation still be further hurdles for the airlines, because of the possibility of appeal to the House of Lords by the liquidator and because the US Court might react adversely and seek of its own motion to take the liquidator's case forward. But I would like at this point to express my appreciation for the very great efforts which I know have been made by your own officials and by Counsel in the thorough preparation of your own part in this case and in its presentation to the High Court and to the Court of Appeal. Perhaps I might express similar appreciation for the contribution of those concerned in the Foreign Office and in the Department of Trade and Industry.

I am sending copies of this letter to the Prime Minister, the Foreign Secretary and the Secretary of State for Trade and Industry.

Tom King

TOM KING



[Faint, illegible markings or bleed-through from the reverse side of the page]

7 8 9
4 5 6
1 2 3
1981

1981 JUL 10

2