



GCR

100

20th annual edition – revised and updated

A GUIDE TO THE WORLD'S LEADING COMPETITION LAW AND ECONOMICS PRACTICES

Editor

Pallavi Guniganti

Deputy editor

Janith Aranze

Senior reporter

Charles McConnell

Reporters

Charley Connor, Emily Craig, Julie Masson,
Spencer Parts, Ben Remaly, Matt Richards

Researcher

Helen Barnes

Head of content production

Simon Busby

Production editor

Harry Turner

Subeditor

Caroline Herbert

Head of subscriptions

Claire Bagnall

Marketing manager

Grace Hopkins

Publisher

Clare Bolton

Deputy publisher

Ron Knox

Editor-in-chief

David Samuels

Editorial board

Elizabeth Avery, Daniel Beard, Ingo Brinker,
Cristina Caffarra, Marcelo Calliari, Fiona Carlin,
Cecil Chung, Kevin Coates, Ninette Dodoo,
Richard Feinstein, Jamillia Ferris, Sarah Ford,
Damien Geradin, Ilene Gotts, Jason Gudofsky,
Michael Han, Bojana Ignjatovic, Mark Israel,
Thomas Janssens, Helen Jenkins, Susan
Jones, Katherine Kay, Nick Levy, Chong Kin Lim,
Munesh Mahtani, Stephen Mavroghenis, Janet
McDavid, Carlos Mena Labarthe, Margot Miller,
Anna Morfey, Elizabeth Morony, Thomas Mueller,
Kristina Nordlander, François Renard, George
Rozanski, Greg Sivinski, Daniel Sokol, Eric Stock,
Nisha Kaur Uberoi, Patricia Vidal Martínez, Sven
Völcker, Anne Wachsmann, Marianne Wagener,
David Wales, Nicholas Woodrow

Advertising

advertising@globalcompetitionreview.com

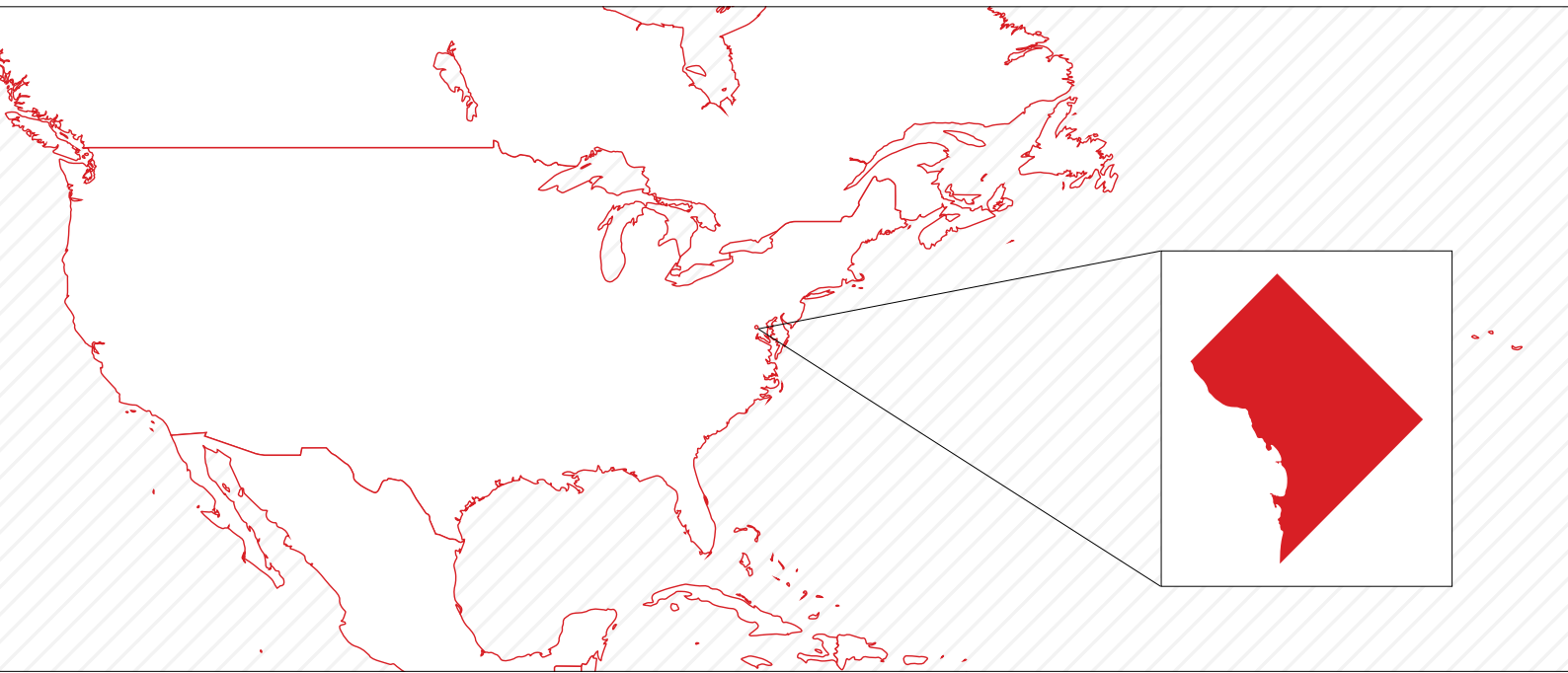
© 2019 Law Business Research Limited

ISSN: 1369-4561

Printed and distributed by

Encompass Print Solutions

Introduction	2
Global Elite	3
Argentina	27
Australia	30
Austria	35
Belgium	39
Brazil	43
Brussels	49
Canada	59
Chile	66
China	70
Colombia	76
Czech Republic	79
Denmark	82
Estonia	85
EU claimants bar	88
Finland	91
France	95
Germany	103
Greece	112
Hungary	115
India	118
Indonesia	124
Ireland	126
Israel	129
Italy	134
Japan	139
Korea	144
Latvia	147
Lithuania	149
Malaysia	151
Mexico	154
Netherlands	159
New Zealand	162
Norway	165
Peru	168
Poland	171
Portugal	175
Russia	181
Singapore	185
Slovakia	188
South Africa	191
Spain	194
Sweden	199
Switzerland	203
Taiwan	207
Turkey	209
United Kingdom	212
United States: California	219
United States: Illinois	225
United States: Massachusetts	230
United States: New York	233
United States: Pennsylvania	243
United States: Texas	246
United States: Washington, DC	249
Economics 21	263



United States Washington, DC

Even as it undergoes generational shifts and sees a downturn in US cartel investigations, the antitrust bar in Washington, DC remains big and busy.

ELITE

Whether **CLEARY GOTTlieb STEEN & HAMILTON** should be the sole antitrust group in the top tier of this survey has been a matter of debate. But no other firm in the DC bar commands a consensus of its rivals' agreement that it should be deemed elite. "Cleary has a great practice," says a competitor. "They deserve the kudos they get." Another compared them to the New York Yankees, belonging in a class of their own. Of the nine lawyers recognised in *Who's Who Legal: Competition*, five are thought leaders – indicating they are among the most praised practitioners in the jurisdiction – while another two are future leaders. Kathleen Bradish returned as counsel in late 2018 after serving as assistant chief for the international section at the Department of Justice's antitrust division. Alexis Collins was promoted from senior associate to partner, and Larry Malm to counsel.

The depth of the practice is not just in age, but in the breadth of what the lawyers do. Though some say Cleary is not quite as strong on the cartel side, it has advised several companies recently in DOJ antitrust grand jury investigations, and partner Jeremy Calsyn is particularly known in this area. The firm represented China Southern Cargo

with regard to the US investigation into air cargo shipping. It also acted for clients in multiple such probes that closed without action, including Dow Chemical with regard to *Methylene Diphenyl Diisocyanate*; Faurecia with regard to *Exhaust Systems*; and "K" Line with regard to *Container Shipping*.

Having represented Citigroup in the *Libor* investigation, where it was not prosecuted, and in *Foreign Exchange*, where it pleaded guilty, the firm is defending the bank against antitrust class actions alleging manipulation of financial instruments. Partner Leah Brannon worked with colleagues in New York in *Mexican Government Bonds*, where pension funds' claims were dismissed without prejudice in October 2019. The firm has also fended off follow-on claims against "K" Line related to its role in the *Vehicle Shipping* cartel, on the grounds US damages claims are pre-empted by sector regulation; and when brought before the sector regulator, have come too late. Other conduct matters include representing Fox in a DOJ investigation into alleged information sharing among broadcast television stations in local

markets about advertising, which settled in June 2019 with commitments not to engage in certain conduct.

The most headline-grabbing deal in the US for the past year or more has been T-Mobile's tie-up with Sprint, a four-to-three merger among national mobile network operators. The Cleary squad on the deal – cleared conditionally by the DOJ, but facing a challenge by several state attorneys general – includes partners David Gelfand, George Cary and Mark Nelson. Gelfand teamed with partners Elaine Ewing and Ken Reinker to obtain the DOJ's conditional approval for Thales'

€4.8 billion acquisition of Gemalto. Japanese electric motor manufacturer Nidec's \$1.08 billion acquisition of Whirlpool's Embraco business received an early termination of US merger review in 2018; Ewing and partner Brian Byrne steered that deal. In a deal matter that has become a gun-jumping investigation, the firm acted for Juul Labs in obtaining FTC approval of Altria's \$12.8 billion minority investment in the vaping company, but the agency then probed whether Altria exercised influence over Juul before the deal was cleared.

OUTSTANDING

If there is another Washington, DC antitrust practice that comes close to Cleary Gottlieb, it might be **ARNOLD & PORTER** – especially with the return of Bill Baer and Debbie Feinstein from government service. Many competitors point to Feinstein as being among the best in the business, and say Baer is “exceptionally strong”. Other partners also come in for praise from peers: “Sonia Pfaffenroth does not get enough attention for how good a lawyer she is,” one says. While Feinstein chairs the firm's global competition practice, Jonathan Gleklen continues to lead the DC antitrust group. A partner at another outstanding practice says Gleklen, Feinstein, Baer and Pfaffenroth make “a great quartet” on civil matters. In the past year, Richard Rosen and Frank Liss retired, and counsel Philip Giordano moved to Hughes Hubbard & Reed.

Before retiring, Rosen worked with the firm's telecommunications practice on AT&T's \$85.4 billion acquisition of Time Warner, for which the DC antitrust group led US merger review. Feinstein and Gleklen worked behind the scenes with experts after the DOJ challenged the deal. In February 2019, the US Court of Appeals for the District of Columbia Circuit upheld the trial court's decision to allow the merger to go forward. Gleklen led on the work for Monsanto in its \$66 billion sale to Bayer, which the DOJ cleared in May 2018 with what it called “the largest negotiated merger divestiture ever required by the United States”; and for General Electric in merging its transportation business with Wabtec, which the DOJ cleared unconditionally in January 2019 after a second request. Feinstein shepherded NxStage Medical through its \$2 billion sale to Fresenius Medical Care, the clearance of which split the FTC in February 2019. The Republican majority approved the deal based on a small divestiture to remove a product overlap, but the Democratic commissioners said this did not address vertical concerns. Partners James L Cooper and Pete Levitas acted for Cristal in the sale of its titanium dioxide business to Tronox for approximately \$1.7 billion plus a 24% share in the combined entity. The FTC successfully sued to block the merger, and ultimately agreed to divestitures, with the deal closing in April 2019. Partner Michael Bernstein acted on two other deals requiring FTC approval: BP's \$10.5 billion acquisition of BHP's onshore oil and gas business; and Boston Scientific's \$4.2 billion acquisition of BTG.

In the conduct realm, Baer, Pfaffenroth and partner James W Cooper represented S-Oil as it was investigated for and pleaded guilty to bid rigging and price-fixing for the supply of fuel products to US military bases in Korea. The company agreed to pay a criminal fine of approximately \$30.5 million and a civil fine of approximately \$12.9 million. On behalf of Samsung, partner Anne Davis argued the successful motion to dismiss claims brought by former LG employees alleging that Samsung and LG agreed not to “poach” each other's US employees. The appeal is pending before the US Court of Appeals for the Ninth Circuit.

Maureen Ohlhausen joined what peers call the “good lineup” at **BAKER BOTTS** as a practice group chair in December 2018, after leading the FTC as acting chair. Her practice co-chairs John Taladay and Stephen Weissman – “one of the best antitrust lawyers around” – are praised for their work on civil matters, and the firm as a whole is seen as a “very aggressive competitor” in the antitrust market. It recently promoted Stacy Turner from senior associate to partner. When partners Mark Botti and Anthony Swisher joined Baker Botts from Squire Patton Boggs in June 2018, they brought UnitedHealth as a client, and the nation's biggest health insurer offers a steady diet of merger control work.

The firm has always been close to the energy industry, and it assisted on several deals in the sector; partner Paul Cuomo advised IFM Investors on its \$10.3 billion purchase of petroleum distributor Buckeye Partners. Weissman was deal counsel for Arch Coal as it agreed a joint venture with Peabody Energy; and for Merck's \$1.05 billion acquisition of Peloton Therapeutics, a clinical-stage biopharmaceutical company. With partner Michael Perry, Weissman advised Novartis on the \$900 million sale of its Sandoz division's dermatology business and generic assets to Aurobindo. The pair also acted for Indorama as part of a joint venture to buy a bankrupt, unfinished plastic resin production facility, which the FTC cleared conditionally after raising concerns that the buyers might try to suppress the plant's output, given that they already control almost 90% of the market for the product. Weissman teamed with Cuomo to advise satellite radio company SiriusXM on buying music streaming service Pandora in an all-stock deal valued at about \$3.5 billion. They pulled and refiled the notification to the antitrust agencies, and the DOJ cleared the merger at the end of 2018. But perhaps the toughest deal of 2019 came near the end of the year. Weissman is co-counsel to Celgene in the drug maker's sale to Bristol-Myers Squibb, and the FTC split along party lines in voting to approve the deal with the remedy of a single product divestiture.

Conduct work includes Taladay being FTC counsel to Qualcomm as the chipmaker defends against the agency's claims that it has anti-competitive patent licensing practices. Partner Joseph Ostoyich is representing a company in a DOJ investigation that involves standard setting. More publicly, along with partner William Lavery, he led the defence of Patterson Companies against the FTC's claim that it and other dental suppliers engaged in a group boycott of dentist buying groups. The agency's administrative law judge found in favour of the FTC in October 2019. The firm is representing Phillips in opt-out damages claims over *Cathode Ray Tubes* and *Optical Disk Drives*, as well as Toyoda Ghose in *Auto Parts* follow-on litigation. Lavery, Perry and Weissman beat Takeda Pharmaceuticals' request that Baker Botts be disqualified from representing Zydus Pharmaceuticals in antitrust litigation against Takeda.

Firm	Head(s) of competition	Size	No. WWL nominees	Clients
ELITE				
Cleary Gottlieb Steen & Hamilton	N/A	10 partners 5 counsel 2 senior attorneys 50 associates	7	3M, Citigroup, Coca-Cola, Dow Chemical, Fox Corp, JUUL Labs, "K" Line, Keurig Dr Pepper, T-Mobile US and Deutsche Telekom, Western Digital, Whirlpool
OUTSTANDING				
Arnold & Porter	Jonathan Gleklen	16 partners 8 counsel 31 associates	4	General Electric, AT&T, Visa, Boston Scientific, Altria, BP, Novartis, Pfizer, Oakland Raiders, Bloomberg
Baker Botts	Maureen Ohlhausen John Taladay Stephen Weissman	16 partners 5 counsel 32 associates	4	Arch Coal, AT&T, Caterpillar, DaVita, Irico Display Devices, Liberty Media, Novartis, Olin, Patterson Companies, PetIQ, Qualcomm, Shell, Sun Pharmaceuticals, UnitedHealth Group, Waste Management
Covington & Burling	Thomas Barnett Deborah Garza Anne Lee	18 partners 6 counsel 21 associates	3	Amazon, AstraZeneca, Bombardier, Citigroup, Discovery Communications, Eli Lilly, Expedia, Facebook, GlaxoSmithKline, Northrop Grumman, Union Pacific Railroad, Vulcan Materials
Gibson Dunn & Crutcher	Scott Hammond	16 partners 2 counsel 23 associates	5	Tronox, Heritage Pharmaceuticals, GS Caltex, Energizer, Comcast, Moody's, United Therapeutics, William Morris Endeavor Entertainment, The Southern Company, Fox, Deutsche Telekom, Walmart
Hogan Lovells	Edith Ramirez	12 partners 14 associates	2	Airbus, Anschutz Entertainment, Blue Cross Blue Shield, Credit Suisse, Dell, General Dynamics, IBM, Marvell, Orbital ATK, PPG
Kirkland & Ellis	N/A	7 partners 2 of counsel 11 associates	2	Staples, Nexstar Media Group, GlaxoSmithKline, Tronox, WellCare, AbbVie, Infineon Technologies, Bristol-Myers Squibb
Latham & Watkins	Amanda Reeves	15 partners and counsel 20 associates	5	Novelis, Siemens, G&W Labs, Surescripts, Genetech, AxleTech, Vista Global, Hortonworks, Sobi, Daichii Sankyo
Skadden Arps Slate Meagher & Flom	Tara Reinhart	3 partners 3 counsel 1 of counsel 17 associates	3	Air Products, Broadcom, Glencore, HP, Intel, Norfolk Southern, Oscar Health, Performance Food, Sabre, Sprint, Stryker, Teva Pharmaceutical
Weil Gotshal & Manges	Steven Newborn	9 partners 1 counsel 20 associates	1	Allergan, Bridgestone, BASF, Canon, Johnson & Johnson, Kinder Morgan, Hilton Worldwide, Pilgrim's Pride, Sanofi, Sherwin Williams, Walgreens Boots Alliance, Willis Towers, Watson
White & Case	J Mark Gidley	14 partners 7 counsel 39 associates	1	Allergan, Anthem, Boehringer Ingelheim, Gilead Sciences, Icahn Enterprises, Maruyasu Industries, Pfizer, Richard Usher, Saudi Aramco, The Common Application, Toshiba
Wilson Sonsini Goodrich & Rosati	Scott Sher	7 partners 6 counsel 19 associates	4	Deutsche Telekom, Careem, Marvell, Pacific Biosciences, Mylan, Google, CA Technologies

COVINGTON & BURLING can feel like the best-kept secret in the DC antitrust bar. Some competitors say they rarely see the firm, but those who do cannot seem to praise it highly enough. Partners and practice co-chairs Thomas Barnett and Deborah Garza are seen as “very good” by peers. One rival says, “Tom is fantastic, the first person I refer stuff to when I have a conflict”; another calls Barnett “a force to be reckoned with”. The firm is capable of any type of work in any industry, and has “strength across the board”. The addition of former FTC commissioner Terrell McSweeney as a partner also received kudos, while partner Henry Liu was singled out as “a very good litigator”. The firm promoted Kate Mitchell-Tombras, a former Antitrust Division trial attorney, to partner. It lost associate Lauren Willard to the DOJ, where she is liaising between the attorney general and the Antitrust Division on a review of online platforms.

Practice co-chair Anne Lee and Garza are representing General Electric in the \$21.4 billion sale of its biopharma business to Danaher, with Lee focused on achieving FTC clearance. She worked with Barnett and partner James Dean to handle US merger control for Walt Disney’s \$71 billion purchase of 21st Century Fox, which the DOJ cleared in June 2018 subject to the divestiture of Fox’s regional sports networks. Garza and Barnett advised Northrop Grumman on its \$7.8 billion acquisition of aerospace and defence contractor Orbital ATK, which the FTC cleared in June 2018 with behavioural remedies including a firewall. Tribune Media provides Garza with a lively mix of deal and conduct work: its proposed \$3.9 billion sale to Sinclair Broadcast collapsed in mid 2018 due to competition concerns from federal agencies, and Tribune sued its former merger partner for \$1 billion because Sinclair allegedly was not prompt in offering remedies for those concerns. A year later, the DOJ cleared Tribune’s merger with Nexstar Media on the condition of divesting broadcast television stations in 13 markets. Garza also represented Tribune as it and other TV broadcasters resolved their part in the DOJ’s data-sharing probe in November 2018 by being barred from swapping sensitive advertising information with rivals.

Covington acknowledges half of GAFA – Amazon and Facebook – as clients, but is silent about the nature of its current work for them. Both companies are being investigated by the FTC. More publicly, partner Derek Ludwin led the joint defence effort of the US Olympic Committee’s sponsorship policies, and won dismissal of the complaint and affirmation of that dismissal from the Ninth Circuit in August 2018. He and partner Gregg Levy did not fare so well at the Ninth Circuit in another sports case, as the appellate court in August 2019 revived the *Sunday Ticket* antitrust litigation against their client, the National Football League, and DirecTV. In a happier appellate result that same month, the US Court of Appeals for the District of Columbia affirmed the rejection of class certification for plaintiffs in the *Rail Freight Fuel Surcharge* antitrust litigation. Before retiring, counsel Thomas Isaacson had represented Union Pacific Railroad in the case. Ludwin and Levy also teamed up to represent Duke University Hospital System as it was sued for an alleged no-poach agreement regarding medical faculty. Mitchell-Tombras worked with partner Timothy Hester to advise Cox as it and other broadcast television companies agreed to cease certain conduct in response to the DOJ’s investigation of information sharing related to advertisement prices. Barnett and partner Ashley Bass are co-counsel to Johnson & Johnson as it defends against various antitrust lawsuits alleging that it is illegally preventing competition to the drug Remicade.

GIBSON DUNN & CRUTCHER has retained its market-leading edge in cartel defence, rivals say, and the addition of Richard Parker from O’Melveny & Myers in June 2018 further strengthened its litigation and merger muscles. The practice also attracted Elizabeth Papez from

Winston & Strawn in March 2019, as well as a pair of senior associates from the DOJ’s antitrust division. Internally, the firm promoted of counsel Jason Meltzer and associate Jeremy Robison to partner. Antitrust practice chair Scott Hammond, a former deputy for cartel enforcement at the DOJ, praises Robison as “the finest young cartel lawyer in the country”, with unequalled experience for his age.

Even as cartel enforcement has dipped at the DOJ, Hammond and his colleagues have stayed busy as global coordinating counsel for Panasonic – particularly in the Asia-Pacific – and Kimberly Clark in Latin America. Closer to home, Gibson Dunn is representing Heritage Pharmaceuticals in the DOJ’s investigation of generic drug price-fixing. Despite two former Heritage executives pleading guilty, the company obtained a deferred prosecution agreement – the Antitrust Division’s first such agreement outside the financial services sector – that protected all remaining employees and imposed a fine of only \$225,000. The firm is also acting for GS Caltex in the DOJ’s investigation of price-fixing on fuel supplies to the US military. The Korean oil refiner secured a substantially reduced criminal fine by persuading the enforcer to reduce its culpability score and reward its cooperation.

Hammond and partner Cynthia Richman are also acting for Panasonic in the *Inductor* civil class actions. She represented Armstrong World Industries against a rival ceiling tile maker’s antitrust claims, some of which she got dismissed before settlement. Richman also helped Swisher after it lost a case at trial in which it was accused of violating section 2 of the Sherman Act, as the company got the jury verdict thrown out based on the defendant’s fraud on the court. Other matters such as *Rail Freight Fuel Surcharge* in the US Court of Appeals for the District of Columbia Circuit and *Pulse v Visa* in the Fifth Circuit have turned several partners in Gibson Dunn’s storied appellate practice into antitrust lawyers, at least temporarily. Litigation is also coming into play for merger work, as Parker is defending Deutsche Telekom, the parent of T-Mobile, in the mobile carrier’s merger with Sprint. A growing list of state attorneys general have sued to block the deal, despite federal authorities’ conditional clearances. Parker and partner Josh Lipton used subtler arts of negotiation when hired by Tronox after its acquisition of Cristal was enjoined; they reached a consent decree with the FTC that required the divestiture of Cristal’s North American titanium oxide assets. Parker and partner Adam Di Vincenzo are working for a confidential client in the healthcare industry who called them in when it foresaw a second request from the FTC.

At the time of writing, Janet McDavid is still a partner at **HOGAN LOVELLS**. A certain portion of the DC antitrust bar has been anticipating her retirement, seeing an opportunity to court her clients because the firm is “not the same without Jan”. But other competitors note a solid bench of other antitrust partners: “strong” Joseph Krauss, “great” Logan Breed for the firm’s busy merger practice, life sciences expert Leigh Oliver, “really good” Michelle Harrington and Edith Ramirez, who is “obviously a great name” for chairing the practice. It added former FTC chief trial counsel Charles Loughlin as a partner in October 2019.

Kathryn Hellings is noted for cartel work, and along with partner Andrew Lee was counsel to Hyundai Oilbank as it was investigated for and pleaded guilty to bid rigging and price-fixing for the supply of fuel products to US military bases in Korea. Krauss and partner Justin Bernick worked with colleagues in California to defend Anschutz Entertainment Group against antitrust claims brought by Ozzy Osbourne, who accused the company of tying concert venues but dropped the lawsuit in September 2018.

Ramirez and Breed are among the platoon of lawyers advising T-Mobile as the mobile network operator resolved competition concerns at the DOJ and FTC about its four-to-three merger with rival

Sprint, only to face a lawsuit by state attorneys general. The two partners plus McDavid advised IBM on its \$34 billion acquisition of Red Hat, an enterprise software provider that builds technologies on open source platforms such as Linux and Kubernetes. The DOJ cleared the deal unconditionally and it closed in July 2019. Krauss took the lead in counselling Orbital ATK on its \$9.2 billion sale to Northrop Grumman, the largest defence acquisition in recent years. It drew a second request from the FTC, which in June 2018 cleared the deal based on behavioural remedies, on which McDavid and Ramirez assisted. Krauss worked with partner Meghan Rissmiller to secure DOJ approval in May 2019 for Amcor's \$6.8 billion acquisition of rival medical packaging company Bemis, conditional on the divestiture of three US manufacturing sites.

Some competing practitioners said they struggled to think of a firm taking on more mergers and more challenging mergers – that is, increasing in both volume and difficulty – than the folks at **KIRKLAND & ELLIS**. FTC veteran Matt Reilly has seen the DC team expand dramatically in recent years, including the addition of two former FTC staff attorneys. The firm prides itself on being one that companies can bring their toughest deals to. Kirkland secured FTC approval for Staples in its acquisition of Essendant, in a decision that displayed major ideological divisions among the agency's five commissioners and required the implementation of a firewall preventing the two office suppliers from sharing certain competitively sensitive information. That settlement drew ire from the agency's two Democratic commissioners, who challenged vertical aspects of the transaction and the fact that Staples is owned by a private equity firm.

The firm guided Nexstar Media Group's acquisition of Tribune Media, which included a settlement with the DOJ's antitrust division that required the divestiture of 13 television broadcast stations. The team defended Tronox's proposed purchase of rival titanium dioxide producer Cristal before both the FTC's internal tribunal and the US District Court for the District of Columbia. The FTC ultimately earned a preliminary injunction from the DC district court and the companies settled, agreeing to divest Cristal's North American assets.

Kirkland completed a significant number of deals in the healthcare industry over the past year. It assisted GlaxoSmithKline on a joint venture with Pfizer related to the companies' consumer healthcare businesses; and advised WellCare on both its purchase of Meridian, which closed in late 2018, and its merger with Centene, which is being reviewed by the DOJ. The firm is guiding AbbVie on its \$63 billion purchase of Allergan, a deal the pharmaceutical companies hope to close in early 2020. It advocated before the FTC and a state attorney general to secure clearance on Pritzker Group's sale of a hospitality business to the largest industry operator. Kirkland also has its role in the technology sector; the team is acting for Infineon Technologies on its \$10 billion acquisition of Cypress Semiconductor and for Bristol-Myers Squibb as it seeks to merge with Celgene for \$90 billion.

LATHAM & WATKINS is a "very, very strong", "full service" firm with an especially "good lineup" for civil matters, rivals say. They particularly praise partners Peggy Zwisler, Michael Egge, Marguerite Sullivan and DC antitrust practice chair Amanda Reeves. Sullivan guided GS Caltex to a favourable settlement with the DOJ, as the company was investigated for and pleaded guilty to bid rigging and price-fixing for the supply of fuel products to US military bases in Korea.

Reeves and partner Farrell Malone represented Novelis on its \$2.6 billion acquisition of Aleris, while Egge and partner Jason Cruise advised Siemens on successfully obtaining US clearance for the rail manufacturer's merger with Alstom. Reeves acted for global

buyout firm Apollo Global Management on the \$2.7 billion purchase of digital imaging company Shutterfly. The firm also has a piece of the *T-Mobile/Sprint* deal, as Reeves, Egge, Malone and counsel Peter Todaro are advising T-Mobile's committee of independent board directors. Latham's internal data indicates it handles 8% to 10% of all Hart-Scott-Rodino merger notifications made to US antitrust agencies.

Sullivan is working with New York partner Elizabeth Prewitt to defend G&W Labs in the *Generics Pharmaceutical Pricing* antitrust litigation, which accuses a host of generic drug makers of collusion. The companies also face a lawsuit from a large coalition of state attorneys general. Sullivan and partner Allyson Maltas led for a defendant in the follow-on damages actions brought over *Wire Heaters* and *Auto Parts*, and Latham now leads the joint defence group for the *Inductors* antitrust litigation in California. Maltas and Reeves are defending Surescripts in Washington, DC federal court against the FTC's allegations that it illegally monopolised the market for electronic prescription services by implementing loyalty and non-compete contracts. The FTC has repeatedly highlighted the case in public statements as an example of it challenging a technology company for alleged monopoly. Reeves and New York partner Larry Buterman are representing Genetech in the *Biocad* litigation; in November 2019, the US Court of Appeals for the Second Circuit ruled the company cannot be sued in the US for actions it allegedly took in Russia to block competition in the US market for biosimilar cancer treatments.

SKADDEN ARPS SLATE MEAGHER & FLOM's sheer volume of work would be enough to rank it highly. Peers acknowledge that it is "very strong on the merger side", though perceived as not having an equally vigorous cartel defence practice. That being said, DC practice chair Tara Reinhart is advising a pharmaceutical company in the DOJ's investigation of price-fixing among generic drug makers, and is representing an individual in the DOJ's investigation of bid rigging and price-fixing for the supply of fuel products to US military bases in Korea.

Of the trio of partners – the smallest number of partners at any firm at this tier of the DC antitrust bar – rivals particularly praise David Wales, who recently came from chairing the antitrust practice at Jones Day. "He's a good lawyer, getting some big representations," a competitor acknowledges. Along with global competition practice chair Steven Sunshine and counsel Steven Albertson and Julia York, Wales is handling for Sprint the challenge brought by state attorneys general to the telecommunications company's tie-up with rival T-Mobile. Wales and Albertson also advised CommScope on its \$7.4 billion acquisition of Arris, while Albertson teamed with counsel Elliot Silver to shepherd Centene through its \$17.3 billion merger with WellCare Health Plans. Sunshine and Albertson assisted Embraer in the \$4.2 billion sale of a majority stake in its commercial aircraft business to Boeing, and Intel on the \$1 billion sale of its smartphone modem business to Apple.

All three partners – Reinhart, Sunshine and Wales – are defending Sabre's acquisition of Farelogix against the DOJ's challenge, in which the Antitrust Division has framed Farelogix as a maverick competitor in the market for distributing airline tickets. Sunshine and Reinhart are appealing against the dismissal of Oscar Insurance's claim that Blue Cross Blue Shield of Florida pressured health insurance brokers on the Affordable Care Act marketplace to push BCBS plans over Oscar products. Reinhart and of counsel John Nannes won a DC Circuit ruling in 2019 that upheld the denial of class certification for purchasers in the *Freight Fuel Surcharge* antitrust litigation, although client Norfolk Southern still faces individual damages actions.

WEIL GOTSHAL & MANGES is praised for its "very strong" deals work, as rivals say both Steven Newborn and Steven Bernstein are

“very good”. A partner at another firm calls himself “a big fan” of partner Jeff Perry. Laura Wilkinson left the partnership in May 2019 to go in house at PayPal, but the DC antitrust practice is hiring well at the junior levels, with five first-year associates and one third-year added in autumn 2019. Before her departure, Wilkinson advised Chinese company Tianqi Lithium on its \$4 billion purchase of a 24% minority stake in Sociedad Química y Minera, which ran into controversy in Chile.

The firm's long-time relationship with Staples helped to win it mandates in the hospitality sector, due to the former general counsel of the office retailer moving to Hilton. Partner Carrie Mahan is defending the hotel chain against allegations that it conspired with rivals not to compete on bidding for branded keywords in online search advertising. The firm is acting for meat processor Pilgrim's Pride in the DOJ investigation of alleged price-fixing of broiler chickens. Partner Jeff White also settled with the Antitrust Division on behalf of CBS to resolve a lawsuit brought as part of the agency's investigation into exchanges of competitively sensitive information in the broadcast television industry. The firm has multiple pharmaceutical clients for which it does litigation as well as merger work. Newborn and partners Ann Malester and Brianne Kucerik, along with counsel Vadim Brusser, are advising Allergan in its \$63 billion sale to AbbVie.

In September 2019, the FTC sued to block Fidelity National's purchase of rival Stewart – the agency's third suit against a Fidelity acquisition in the past decade. Partner John Scribner is advising Fidelity on the \$1.2 billion deal. White acted for Canon as the company in 2019 agreed to pay a \$5 million fine for failing to abide by the HSR waiting period in its \$6.1 billion acquisition of Toshiba Medical Systems. Senior associate Megan Granger advised on the US aspect of BASF's divestiture purchase from the *Bayer/Monsanto* deal. White and Granger represented Mexican company Alpek as its joint venture with Indorama and Far Eastern New Century sought to purchase an unfinished plastic resin production facility out of bankruptcy. The FTC at the end of 2018 imposed ownership limits and an output mandate on the deal, because the joint venture members already control almost 90% of the relevant market. Perry represented Willis Towers Watson in its \$1.5 billion acquisition of employee benefits broker TRANZACT, which avoided a second request.

WHITE & CASE has one of the biggest teams of antitrust associates in this survey, but is also building at senior levels. In autumn 2019, the firm promoted Kathryn Jordan Mims to partner, and snagged Daniel Sokol from Wilson Sonsini Goodrich & Rosati to be a senior adviser based in Miami and Washington, DC. It is best known for its pharmaceutical litigation, but it is also in the rare position of having defeated the Antitrust Division in a recent criminal prosecution. Global competition practice chair J Mark Gidley pitched in to defend former JPMorgan Chase currency trader Richard Usher as he and two other traders were prosecuted for allegedly manipulating the foreign exchange market; in October 2018, a New York jury took only five hours of deliberations to reach a not-guilty verdict for all three defendants.

Gidley also helped to settle a monopolisation claim against The Common Application brought by rival university application processing service CollegeNET, and to win reversal from the US Court of Appeals for the First Circuit of end-payor class certification in claims against Allergan. The drug maker was accused of engaging in “product hopping” to prevent competition to Asacol. In April 2019, a Boston federal district court also denied leave for plaintiffs' smaller class, effectively ending the *Asacol* class action. Partners Chris Curran and Peter Carney are defending Gilead Sciences in a putative class action filed in May 2019 by indirect purchasers accusing the company of illegal agreements intended to monopolise certain HIV drugs. Carney is

also acting for Allergan subsidiary Warner-Chilcott in a class action asserting product-hopping monopolisation, Walker-Process patent fraud, sham citizen petitions and reverse payment patent settlements in connection with Loestrin 24 oral contraceptive – and claiming more than \$8 billion in treble damages.

In a failed deal that has become litigation in the Delaware Court of Chancery, partner George Paul is representing Anthem as the health insurer pursues \$20 billion in damages from former merger partner Cigna, which in turn accuses Anthem of handling the merger control process poorly. The case went to trial in February 2019 and is awaiting a ruling. Paul worked with partner JD Donaldson to advise Anthem on its acquisition of Beacon Health Options, which provides behavioural health services, and Bain Capital on its acquisition of US Renal Care. Partner Rebecca Farrington handled several complex deals, including Newmont Mining's joint venture with Barrick – which had initially attempted a hostile takeover – followed by a \$10 billion stock swap deal with Goldcorp. Newmont Goldcorp is now the world's largest gold company. She also obtained global competition clearances in less than five months for activist investor Carl Icahn's \$5.4 billion sale of Federal-Mogul to Tenneco, and is working with partner Anna Kertesz to advise Saudi Aramco, the world's largest oil producer, on its \$69.1 billion acquisition of a 70% stake in Saudi Basic Industries.

WILSON SONSINI GOODRICH & ROSATI is seen as “gangbusters on high tech”, with partner Susan Creighton a long-time antitrust lawyer for Google. But it is also very well-regarded for partner Mark Rosman's work in cartel defence and partner Joshua Soven's on mergers. The firm lost counsel Daniel Sokol to White & Case, but added half a dozen antitrust associates in 2019.

Soven, with the help of partner Jamillia Ferris and senior of counsel Joshua Wright, is representing Deutsche Telekom in the litigation brought by state attorneys general to challenge the merger of subsidiary T-Mobile with rival mobile network operator Sprint. The DOJ cleared the deal conditionally in July 2019 after 15 months of review, in which Soven was closely involved as well. Ferris is also lending a hand to partner Scott Sher as he advises Middle-Eastern ride-hailing app Careem in its \$3.1 billion sale to Uber. She is representing Marvell Technology in several deals, including the \$1.76 billion sale of its Wi-Fi and Bluetooth technology portfolios and related assets to NXP, and works with Sher on Pacific Biosciences' \$1.2 billion sale to Illumina, which is unusually being reviewed under section 2 of the Sherman Act as well as traditional merger law.

Partners Jeff Bank and Seth Silber represented Mylan Pharmaceuticals as a plaintiff alleging that Celgene has illegally used safety restrictions on the distribution of Thalomid and Revlimid as a pretext to foreclose generic competition. The case settled favourably for Mylan. The two are acting for the drug maker as a defendant in the *Generic Pharmaceutical Pricing* cases; The DOJ is also investigating Mylan, where it is represented by Rosman. Partner Franklin Rubinstein functions as global coordinating counsel for Google in a host of conduct investigations regarding products including Search, Android, AdWords, and YouTube, in the US, the EU, Canada, Latin America and Asia. In July 2019, Brazil's Administrative Council for Economic Defence closed a probe into *Shopping*. Creighton and Soven also represent the company before the DOJ.

Firm	Head(s) of competition	Size	No. WWL nominees	Clients
HIGHLY RECOMMENDED				
Axinn Veltrop & Harkrider	Michael Keeley	7 partners 2 counsel 14 associates	1	Google, Dell, Tyson Foods, Momena, HIG Capital, University of Pittsburgh Medical Center
Boies Schiller Flexner	N/A	13 partners 1 counsel 12 associates	2	Apple, Ultimate Fighting Championship, Atrium Health, Uber, Sanford Health, Delta
Dechert	N/A	5 partners 1 counsel 6 associates	1	AutoZone, Cinemex, Cerberus, Chemours, CVS Health, Dean Foods, DTE Energy, Dun & Bradstreet, FMC, Marriott, Owens & Minor, Peabody Energy, PeroxyChem, Stryker, Travelport
Freshfields Bruckhaus Deringer	Paul Yde	7 partners 6 counsel 16 associates	6	Evonik, London Stock Exchange, Cengage, Global Brand Group, Johnson & Johnson
Jones Day	Craig Waldman (in California)	8 partners 4 of counsel 11 associates	2	Bitmain Technologies, Essilor, Indivior, Lord Corporation, M&G Resins, National Beef, Sanofi-Aventis, USG
Mayer Brown	Mark Ryan	10 partners 2 counsel 4 associates	2	Nestlé, CDK Global, Foster Farms, Drew Marine, Cargill, Caesars, Advanced Disposal Services
Morrison & Foerster	Jeff Jaeckel	9 partners 1 of counsel 10 associates	2	Sprint, Softbank, Fujitsu, CSX Transportation, Pounding Mill Quarry, Entrata, UPS

HIGHLY RECOMMENDED

Practice co-chair Michael Keeley heads the DC office of antitrust and intellectual property boutique **AXINN VELTROP & HARKRIDER**. Keeley has seen the firm grow immensely in the 20-plus years he's been at the firm; the DC operation now features seven partners, two counsel and 14 associates who focus solely on antitrust. This year, it added former deputy assistant attorney general Leslie Overton; former FTC attorney Steven Lavender, who helped litigate the agency's challenge to *Ottobock/Freedom Initiatives*; and partner Tiffany Rider from elite firm Skadden.

Partner Rachel Adcox, who appeared on GCR's shortlist for Litigator of the Year, is leading the defence of Tyson Foods against claims the company conspired to fix the price of broiler chicken, and in a separate follow-on matter related to pork. Adcox is also serving as lead counsel for multiple defendants in the *Automotive Parts* antitrust litigation. Partner Richard Dagen guided the University of Pittsburgh Medical Center through the dismissal of a private antitrust lawsuit alleging monopolisation of the market for worker's compensation insurance. Axinn is also working for long-time client HIG Capital on several acquisitions, and is representing Momena Pharmaceuticals in three separate antitrust matters. It is known for representing major players in the technology industry, including Google and Dell.

William Isaacson, Richard Feinstein and James Denvir front the powerful DC litigation practice of **BOIES SCHILLER FLEXNER**. The firm represented Apple in its now-settled antitrust claims against Qualcomm, reaching a six-year IP licensing contract that will pay Qualcomm an unspecified royalty rate. Boies is defending the Ultimate

Fighting Championship against the attempted class certification of a group of professional mixed martial arts fighters, who allege the league has abused its market position to suppress their wages. The firm acted for Atrium Health – formerly Carolinas HealthCare Systems – against the DOJ's claims it had implemented illegal steering provisions that prevented health insurers from offering cheaper services to patients. Atrium settled with the Antitrust Division in November and agreed to stop enforcing the alleged steering restrictions, but the health system still faces private litigation.

Boies does a significant amount of work for Uber. Led by partner Karen Dunn, the firm fought off antitrust claims brought by a class of cab drivers in Boston. Partner Robert Cooper handled Sanford Health's appeal against a lower court's injunction barring the company's merger with Mid Dakota Clinic; the US Court of Appeals for the Eighth Circuit ultimately ruled in favour of the FTC in November 2018. On the plaintiffs side, Boies acted for a class of au pairs alleging a conspiracy among US employers to keep their pay below minimum wage, citing concerns about the sponsor companies' financial stability. It is also defending Delta in the *Baggage Fee* antitrust litigation, and representing plaintiffs in a class action challenging agreements between 1-800 Contacts and several distributors that allegedly restricted search advertising in violation of federal antitrust law. The firm is advising SourceOne, an online portal selling dental supplies, in antitrust claims against dental supply companies that had taken collective action to boycott buying groups.

Rivals say **DECHERT** still has “a lot of good people” despite the loss of “the Pauls” – Paul Denis and Paul Friedman. Multiple peers praised Mike Cowie, and said the firm made a “great hire” of “fantastic litigator” Shari Ross Lahlou in April 2019. She is defending Chemours against purchasers alleging the chemical manufacturer conspired to fix the price of titanium dioxide; Marriott in a putative class action lawsuit alleging it conspired with other hotel brands not to compete on bidding for branded keywords in online search advertising; and Owens & Minor in a lawsuit brought by healthcare providers alleging a conspiracy in relation to syringes and catheters, which was dismissed and is now on appeal. Lahlou is also defending health insurer Humana against an antitrust lawsuit brought by United Allergy Services, which claims to have been the victim of a group boycott.

Probably the firm's highest-profile matter in the past year is its role advising CVS Health on the \$70 billion acquisition of health insurer Aetna. While the DOJ opted to resolve its competition concerns by ordering the companies divest any horizontal overlap in a Medicare prescription drug business, the federal judge empowered to sign off on the agreement opted to hold the first-ever merger settlement hearing to include live testimony. Cowie handled this deal with partner Rani Habash, but went solo as the lead partner defending CVS Health against three tying lawsuits arising from its acquisition of Wellpartner. He obtained dismissal of most of Sentry Data Systems' antitrust claims, and all claims brought by RxStrategies. Cowie worked with counsel Gregory Luib to advise DTE Energy on its purchase of a pipeline from North Coast Gas Transmission, which the FTC cleared after requiring the elimination of a non-compete provision. Cowie and partner James Fishkin have teamed up to represent PeroxyChem as the FTC sues to block the company's \$625 million sale to Evonik. Partner Craig Falls advised Eurovia on all antitrust aspects of its \$555 million acquisition of Lane Construction's asphalt plants and road-paving operations.

Another year, another former Antitrust Division official reeled in by **FRESHFIELDS BRUCKHAUS DERINGER**. Andrew Ewalt followed his old boss, former director of litigation Eric Mahr, to the firm's DC office in December 2018 after spending more than a decade at the federal agency. Partner Paul Yde credits Mahr and Ewalt for boosting the amount of criminal conduct work the firm now does; Freshfields is advising a client related to the DOJ's investigation in standard-setting organisations, and represents several clients involved in grand jury investigations relation to confidential matters.

The “solid practice” is seen as particularly strong on mergers. Yde and counsel Jan Rybnicek – along with Mahr and Ewalt – are leading the defence for Evonik against an FTC challenge related to the company's proposed acquisition of PeroxyChem. Partner Thomas Ensign is working on the DC side of the London Stock Exchange's proposed purchase of Refinitiv, a financial markets data provider jointly owned by Blackstone and Thomson Reuters. Freshfields is also acting for Cengage on its proposed acquisition of competing educational publisher McGraw-Hill Education, and advising Global Brand in its acquisition by Differential Brands.

Despite some retirements and other departures, **JONES DAY** still has “a huge team” with “a lot of talented lawyers”, rivals say. Partner John Majoras, who splits his time between Cleveland and DC, is considered “one of the best trial lawyers in the US”. Other well-regarded litigators at the firm include partner Julie McEvoy, a former deputy associate attorney general. She is defending Bitmain Technologies against an antitrust lawsuit brought by bitcoin company United American, which alleges that Bitmain colluded to manipulate the cryptocurrency market for Bitcoin Cash. She is also defending National Beef Packing

in putative antitrust class action litigation claiming that four meat-packers conspired to reduce how much they pay feedlot operators for their cattle, while increasing the price of beef. And with partner Rosanna McCalips, McEvoy is defending Sanofi-Aventis against a proposed class action by two drug wholesalers that claim Sanofi engaged in sham patent litigation to delay competition for Lantus. In another pharmaceutical litigation, partners Michael Knight and Jonathan Berman are defending Indivior against Suboxone purchasers' claims that it monopolised sales of the drug through “product hopping”.

On the deal side, Knight is advising LORD Corporation in its \$3.675 billion sale to Parker Hannifin. Partners Ken Field and Michael Gleason counselled Yale New Haven Health as its Bridgeport Hospital acquired Milford Health & Medical, obtaining clearances from the FTC as well as Connecticut state regulators. Partner Ryan Thomas handled some of Jones Day's biggest recent deals, including USG's sale to Knauf in a merger valued at \$6.9 billion, and M&G Resins' sale of its incomplete plastic resin production facility in Corpus Christi, Texas. The FTC required the buyer – a joint venture of three companies that have nearly 90% market share in the relevant product – to make commitments about output and firewalls.

MAYER BROWN's DC antitrust practice boasts substantial experience from the DOJ's antitrust division. The group is led by Mark Ryan, former director of litigation at the agency, while partner William Stallings, who headed the division's transportation, energy and agriculture section, acted for Hanjin Transportation as it pleaded guilty to having rigged bids on contracts to supply fuel to US military bases in Korea. The DC office is also representing defendants in three class action price-fixing lawsuits related to poultry, pork and beef. The firm is advising CDK Global in the *Automotive Dealer Management Systems* litigation, disputing claims the company conspired to eliminate competition for providing car dealership information.

Partner Scott Perlman represented chemical company Houghton International on its merger with Quaker Chemical; in September 2019, the FTC required the divestiture of Houghton's steel cold rolling oil business, following a similar path of clearance from EU enforcers. The firm also represented Drew Marine before the US District Court for the District of Columbia on its proposed acquisition by Wilhelmsen Maritime Services, although the water treatment chemical companies abandoned the deal after the court granted the FTC a preliminary injunction requiring them to remain separate. Mayer Brown is currently advising Advanced Disposal Services regarding the DOJ's second request for information related to the company's planned acquisition by Waste Management.

MORRISON & FOERSTER added a pair of Antitrust Division veterans over the past year. Lisa Phelan, former chief of the criminal enforcement section, joined as a partner, while former trial attorney Megan Gerking came in as of counsel. Phelan, who prosecuted over 300 criminal cases while at the agency, now advises major clients being investigated for or accused of criminal anticompetitive conduct. Due to the sensitivity of the matters, nearly all of Phelan's and Gerking's work remains confidential. Practice co-chair Jeff Jaeckel and partner David Meyer are acting as lead counsel to Sprint and its parent company Softbank against a challenge brought by a coalition of states related to the telecom's proposed merger with T-Mobile.

The firm is representing Fujitsu and its subsidiaries in the *Capacitors* follow-on litigation. Partner David Cross is representing Entrata in its lawsuit challenging Yardi's behaviour related to its property management software, and defending CSX Transportation in a class action alleging an illegal fuel surcharge implemented by rail

Firm	Head(s) of competition	Size	No. WWL nominees	Clients
O'Melveny & Myers	Ben Bradshaw Ian Simmons	13 partners 1 counsel 12 associates	1	Samsung Bioepis, Par Pharmaceutical, American Airlines, Harry's, Electronics for Imaging
Paul Weiss Rifkind Wharton & Garrison	Kenneth Gallo Jonathan Kanter Rick Rule	3 partners 2 counsel 20 associates	2	Cigna, Elanco Animal Health, Endeavor, Farelogix, Goodyear Tire & Rubber, News Media Alliance, Refinitiv, Sirius XM, Smith & Nephew, Mastercard, Nippon Chemi-Con, Bumble Bee, SAP
Sidley Austin	William Blumenthal	6 partners 3 counsel 10 associates	3	Amazon, Archer Daniels Midland, CenturyLink, Intel, International Paper, Jones Lang LaSalle, Mastercard, Quaker Chemical, Santen Pharmaceutical, United Airlines
Simpson Thacher & Bartlett	John Terzaken Peter Thomas	6 partners 7 counsel (firm-wide) 44 associates (firm-wide)	1	21st Century Oncology, Best Buy, BMW Group Boeing, Covestro, Deutsche Bank, HCA, K2M Group Holdings, McKesson, Taiyo Nippon Sanso
Sullivan & Cromwell	Renata Hesse	4 partners 1 counsel	None	Andeavor, CONMED, Dish Network, Enbridge, Fiserv, Harris, Praxair, Syntel, Royal Phillips
Vinson & Elkins	Darren Tucker	7 partners 3 counsel 8 associates	None	Google, Wanhua Chemical, Integris Health, Maxell, Hitachi Automotive, Energy Transfer Partners, Direct Energy Partners
Wilmer Cutler Pickering Hale and Dorr	Thomas Mueller	10 partners 5 counsel 18 associates	2	AbbVie, Rohan Ramchandani, Reckitt Benckiser Group, Jeffrey Glazer, Danaher, T-Mobile

freight shipping service providers. Partner Jon Gowdy represented Pounding Mill Quarry before the DOJ regarding the company's sale of four stone quarries to a rival, which the agency approved with divestitures in June 2018.

DC-based partners Ben Bradshaw and Ian Simmons co-chair the global competition practice at **O'MELVENY & MYERS**. The firm is representing Samsung Bioepis in the *Humira* antitrust litigation and Par Pharmaceutical in two matters related to the drug Seroquel XR and the synthetic hormone vasopressin. The team is defending American Airlines in the *In Re Domestic Airline Travel Antitrust Litigation*, in which the plaintiffs allege the airline conspired to limit capacity for domestic flights. American agreed to a \$45 million payment to settle the consolidated class action complaint in June 2018 – while also agreeing to cooperate with claims against remaining defendants Delta Airlines and United Airlines – although the settlement is currently being challenged by an objector who contends the money may be used as a “slush fund” for the plaintiffs' lawyers. O'Melveny also defended Samsung in the *Optical Disk Drive Products* antitrust litigation, in which Samsung and Toshiba paid \$25 million to settle indirect purchasers' claims. It is also representing Samsung in the Cathode Ray Tube antitrust litigation and in the *DRAM* litigation.

Antitrust litigation involving the financial markets has been bountiful for some time, but O'Melveny is leading the first defence of a cryptocurrency company. Simmons is defending Bitcoin.com against claims it conspired to manipulate for market for bitcoin by implementing software that altered the cryptocurrency's value. On the merger side, partner Courtney Dyer is acting for shaving products company Harry's in its proposed acquisition by Edgewell Personal Care

Company, the owner of razor brand Schick. Partner Courtney Byrd handled antitrust matters for digital printing company Electronics For Imaging as it was acquired by private equity firm Siris Capital Group.

Peers say they see the “very good” team at **PAUL WEISS RIFKIND AND GARRISON** “all over the place”, in a variety of competition matters. The firm as a whole is strong in both litigation and corporate work, bringing resources and client relationships to bolster the DC antitrust practice. Partner Charles F (Rick) Rule “is a great lawyer, always has been” and “a star” perennially in the running for working on blue-chip deals, rivals say, while partners Ken Gallo and Jonathan Kanter are both seen as “really smart”. Supporters of big technology companies concede that Kanter has been highly effective on behalf of complainants against them, such as the News Media Alliance.

He and counsel Dan Howley are representing Farelogix in its sale to Sabre, which the DOJ investigated and is now suing to block. In a happier result from the Antitrust Division, Kanter acted for IMG College and its parent company Endeavour in merging with Learfield, which the DOJ cleared in December 2018. Paul Weiss advised SiriusXM in its acquisition of Pandora. Having acted for Cigna in its attempted merger with Anthem, Rule was called upon for the subsequent litigation in Delaware Chancery court over the deal's failure. The firm advised Altice as a third party in the *T-Mobile/Sprint* merger. It is involved on behalf of Nippon Chemi-Con in both the criminal investigation and civil damages actions relating to capacitors. It is representing the American Society of Composers, Authors and Publishers as the Antitrust Division continues to review the performing rights organisation's decades-old consent decree.

SIDLEY AUSTIN had a hand – and sometimes more than a hand – in some of the biggest antitrust matters of the past year. Its appellate litigators, including former FTC general counsel Jonathan Nuechterlein, were co-counsel to AT&T and DirecTV as the telecoms companies defended their merger win with Time Warner at the DC Circuit. Former FTC chair Timothy Muris, now a senior counsel at Sidley, was co-counsel to Henry Schein as the dental supply company beat the agency's claim that it engaged in a collective boycott, along with Benco and Patterson, of buying groups. The administrative law judge said FTC lawyers failed to prove a conspiracy involving Schein, which had argued at trial that it worked with buyers' groups during the time period in question.

Partner Karen Kazmerzak acted for the Canada Development Investment Corporation in buying the Trans Mountain Pipeline system and related expansion projects from Kinder Morgan; and for United Airlines in purchasing ExpressJet Airlines from SkyWest. Partner William Blumenthal helped KapStone Paper and Packaging obtain an unconditional clearance in October 2018 of its \$4.9 billion sale to WestRock, after the DOJ issued a second request and investigated for nine months.

A competitor praises **SIMPSON THACHER & BARTLETT** as “a good practice”. Peter Thomas heads a team of five partners who cover a broad range of markets. Simpson is defending McKesson against Illinois hospital Marion Diagnostics Center claims alleging the drug distributor colluded with rivals in the *Generic Pharmaceuticals Pricing* antitrust litigation. The group also secured dismissal for 21st Century Oncology against a monopolisation lawsuit alleging the Florida-based physician group had monopolised the market for oncology services in Southwest Florida. In the financial sector, Simpson is defending Deutsche Bank against a proposed class action alleging collusion in secondary trading of bonds issued by US government-sponsored enterprises. Partner John Terzaken heads a bustling investigative defence practice, much of which remains confidential. The clients range from national health-care providers and global financial institutions to a major internet platform. They also advise on investigations into “no-poach” agreements. The team helped secure dismissal for client Micron Technology against price-fixing claims brought by indirect purchases of products containing the memory chip DRAM.

In deal work, Simpson advised Daimler and BMW on a joint venture combining their free-floating car sharing services. The FTC approved the joint venture that combined car2go and ReachNow. Thomas and partner Andrew Lacy act for Boeing in its proposed joint venture with Brazil-based aircraft maker Embraer. Simpson also represented Best Buy in its \$800 million purchase of health and personal emergency response services company GreatCall. Additionally, Simpson acted for Taiyo Nippon Sanso on the purchase of divested assets from the *Linde/Praxair* merger and K2M on its \$1.4 billion sale to medical technologies company Stryker.

SULLIVAN & CROMWELL partner Renata Hesse's peers in the DC antitrust bar offer nothing but superlatives to describe how good a lawyer she is: “phenomenal with clients, great business developer”, “really outstanding all around-lawyer”. She and partner Joseph Matelis “are superb”, and have a “first-rate merger practice” in combination with their colleagues in New York. Hesse advised health technology company Royal Philips on buying medical imaging provider Carestream Health's healthcare information systems business. Among the “marquee matters” on which Matelis and Hesse have worked recently are Harris's merger with fellow US defence company L3 Technologies, which the DOJ cleared in June 2019 based on the divestiture of Harris's

night vision business. They also helped to advise Praxair in its tie-up with Linde, which the FTC approved in October 2018 after the companies agreed to sell assets in several markets, and Fiserv on its \$22 billion acquisition of First Data, which the DOJ cleared unconditionally in 2019. Matelis was counsel to Enbridge on its purchase, along with NEXUS and DTE Energy, of a pipeline from North Coast Gas Transmission, which the FTC cleared after requiring the elimination of a non-compete provision. He advised SunTrust Banks in its \$66 billion merger of equals with BB&T, which the DOJ cleared with divestitures.

But Sullivan & Cromwell is not solely a merger shop. Partners Amanda Davidoff and Christopher Viapiano are defending JPMorgan Chase, ING Group, MUFG Bank and the Australia & New Zealand Banking Group against various private actions accusing the banks of manipulating financial products and markets. Davidoff obtained dismissal in June 2019 of claims that Volkswagen and Audi illegally shared commercially sensitive information with competitors. Viapiano represented an ocean container shipping company as it was criminally investigated by the DOJ for potential collusion to restrict capacity and raise rates; the government closed the probe in April 2019 without bringing any charges.

VINSON & ELKINS jumps to the Highly Recommended tier with the poaching in 2018 of partners Darren Tucker and Hill Wellford and counsel Greg Wells from Morgan Lewis & Bockius. The trio are co-counsel to Google in the European Commission's *Android* probe – and on complying with the enforcer's July 2018 decision – as well as investigations of the company in other jurisdictions. The firm also represented Google on a variety of mergers and acquisitions, including its investment in KaiOS. Tucker and partner Neil Imus advised Integris Health on three simultaneous deals in the second half of 2018: the acquisition of a general acute care hospital, the partial acquisition of two surgical hospitals focused on cardiac care, and the takeover of a two-hospital joint venture. The FTC cleared all those deals unconditionally.

Imus and partner Alden Atkins represented Southwest Airlines in the *Domestic Airline Travel* antitrust litigation, which the airline settled for \$15 million. Atkins and partner Craig Seebald advised Wanhua Chemical as it faced a grand jury investigation involving the methylene diphenyl diisocyanate industry; the DOJ closed its probe in 2018 without taking any action against Wanhua, but several plaintiffs filed civil class action complaints. Seebald and Atkins are also defending Hitachi Automotive Systems against follow-on damages claims.

WILMER CUTLER PICKERING HALE AND DORR's cartel defence – both criminally and in the follow-on civil actions – is outstanding. The firm was part of the team that won GCR's Cartel Defence Litigation of the Year award for defeating a class action brought against bearings manufacturers in the *Automotive Parts* antitrust litigation. The firm successfully defended former Citigroup trader Rohan Ramchandani against charges brought by the Antitrust Division that he had illegally coordinated bids with rival traders in an effort to fix prices on the US dollar and euro exchange. Mueller and senior associate Renita Khanduja helped secure a not-guilty verdict from the New York jury following a 13-day trial. The firm is defending Heritage Pharmaceuticals chief executive Jeffrey Glazer as part of the *Generic Pharmaceuticals* litigation. Mueller and his team have also been involved in several no-poach cases including in the financial services industry.

Hartmut Schneider, who peers describe as “great”, and Lee Greenfield are advising Danaher in its \$21.4 billion purchase of General Electric's Biopharmaceuticals business. The practice is involved in several ongoing litigation matters, including Greenfield acting for AbbVie in its appeal against the award of \$448 million in disgorgement

to the FTC regarding claims the drug maker had illegally maintained a monopoly on the testosterone drug Androgel through sham patent infringement lawsuits against competitors. The firm is also seeking to have the US Court of Appeals for the Third Circuit uphold a lower court ruling that dismissed claims AbbVie had participated in an

illegal reverse payment settlement. WilmerHale represented Reckitt Benckiser Group against claims the company participated in an illegal “product-hopping” scheme to maintain a monopoly on its branded drug Suboxone. Reckitt Benckiser ultimately settled for \$50 million.

RECOMMENDED

AKIN GUMP STRAUSS HAUER & FELD's DC antitrust practice welcomed a former deputy director of the FTC's bureau of competition, Haidee Schwartz, as a partner in March. Corey Roush and his team acted as lead counsel for maritime chemical company Wilhelmssen in its attempted acquisition of Drew Marine. The FTC sued to block the deal in its administrative tribunal and before the US District Court for the District of Columbia where it ultimately secured a preliminary injunction following a trial. The team is acting as lead antitrust counsel to coal company Peabody on its proposed joint venture with rival Arch Coal. The move would combine the Powder River Basin and Colorado assets of the top-two US coal producers. Additionally, Akin Gump secured dismissal of claims against its client Antech, the largest provider of animal lab testing, alleging it had abused its market power in violation of federal and California antitrust laws by inducing veterinarians into signing long-term contracts.

Antitrust Division alumnus Mark Hamer leads **BAKER MCKENZIE**'s DC antitrust practice. The firm continues to blaze trails in defence of no-poach agreements. The practice guided German railway part manufacturer Knorr-Bremse to a settlement with the DOJ's antitrust division regarding an alleged no-poach agreement with a rival. Baker is also handling Knorr-Bremse's defence against the ensuing follow-on litigation. There, a Pennsylvania district court struck down the plaintiffs' first attempt at class certification, finding the employees' proposed definition to be “overbroad”. Hamer's team successfully defeated a lawsuit alleging a group boycott of the allergy testing industry this year for client Quest Diagnostics. Baker McKenzie also acted for one of the alleged ocean shipping container companies prosecuted by the Antitrust Division. In deal work, partners Brian Burke and Teisha Johnson acted for German building materials company Knauf on its \$7 billion purchase of USG before enforcers in the US and Brazil. The team also represented Swiss chemicals company Sika on its proposed acquisition of Parex and Freeman Decorating Company on its proposed sale of its Encore subsidiary to Blackstone.

Jacqueline Grise chairs **COOLEY**'s DC-based antitrust practice, working alongside senior partner Howard Morse. Most of the firm's work is merger control, specialising in deals in the technology and life science sectors. Over the past year, Grise has represented several software companies: Tableau on its \$15.7 billion sale to Salesforce.com, Ellie Mae on its \$3.7 billion acquisition by Thoma Bravo and Mindobody on its sale to Vista Equity Partners. She also advised several semiconductor manufacturers, including Awuantia on its purchase by Marvell, and a string of deals on behalf of Flir related to drones. Grise does a considerable amount of antitrust work for drug makers, including Akcea, Horizon Pharmaceuticals and Retrophin. Morse handles significant deals related to life sciences, including for ZOLL on its purchase of automated external defibrillator rival Cardiac Science. He also led Uber's antitrust work on investments made by Toyota, Denso and others. Morse advised media company Meredith on its sales of Fortune, Sports Illustrated and Time. He also represented Meredith in a

settlement with the DOJ on claims that a group of broadcasters shared competitively sensitive information.

CROWELL & MORING's DC antitrust practice remained busy in 2019. Co-chair Shawn Johnson helped secure approval for the largest transaction in aviation history as United Technologies, a client since 1981, bought Rockwell Collins for \$30 billion. The DOJ cleared the deal after the companies agreed to divest two aircraft safety businesses. Johnson is also leading the group behind United Technologies' proposed \$50 billion purchase of Raytheon. The firm was able to close the books as co-lead counsel to AT&T on its purchase of Time Warner after the US Court of Appeals for the DC Circuit upheld a lower court ruling in its favour. In the healthcare sector, the group guided Gwinnett Health System's purchase of Northside Hospital and Humana's acquisition of Kindred Healthcare and Curo Health Services. In litigation work, Crowell is defending United Airlines in a multi-district litigation alleging a conspiracy to limit airline capacity on domestic flights. The practice is also representing CSX Transportation as part of the *Fuel Surcharge* litigation and eight Blue Cross Blue Shield companies against claims of market allocation.

KILPATRICK TOWNSEND & STOCKTON is back in the Washington, DC survey this year with significant litigation and advisory work. Though former long-time practice leader Constance Robinson has retired, the firm added Patrick Pascarella, a former chief antitrust counsel to AT&T and Antitrust Division lawyer, as a partner in 2018. Practice chair Peter Boyle is acting for Chrysler/Fiat against a claim of monopolising the after-market for replacement grilles by using its registered trademark to block imports. He and partner Christina Fahmy are part of a team defending Blue Cross Blue Shield of North Carolina against an antitrust class action in state court that accuses the insurer of conspiring with a chiropractic network. They won dismissal of the claim and an appeal in June 2019. For a confidential client, Fahmy developed a theory of competition harm that one of the US antitrust agencies picked up to bring an enforcement action. In addition to private follow-on claims to the agency action, plaintiffs are suing in other sectors based on the same theory. The team is also counselling Clif Bar and Levi Strauss on pricing matters.

KING & SPALDING's antitrust practice in Washington, DC, led by former FTC deputy director Norman Armstrong and long-time partner Jeffrey Spigel, is active in several class action lawsuits. The firm is defending Porsche in the German *Auto Manufacturers* antitrust litigation, Sutter Health in the *Blue Cross Blue Shield* antitrust litigation and Rouses Point Pharmaceuticals in the *Pharmaceuticals Pricing* litigation. King & Spalding is representing rent-to-own furniture store Aron's in an FTC investigation into reciprocal agreements and BASF in litigation against Invesgity alleging exclusive dealing and tying. It also acted for Energizer on its \$2 billion purchase of Spectrum Holdings, which makes Rayovac brand batteries. The FTC approved the deal without a second request and the DC office assisted in the clearance approval in Colombia, Russia, New Zealand and Australia. Additional

Firm	Head(s) of competition	Size	No. WWL nominees	Clients
RECOMMENDED				
Akin Gump Strauss Hauer & Feld	Corey Roush	5 partners 4 counsel 4 associates	None	Wilhelmsen, Antech Diagnostics, MNG Enterprises, Eastman Kodak
Baker McKenzie	Mark Hamer	5 partners	None	Knorr Bremse, Quest Diagnostics, Knauf, Sika AG, Freeman Decorating Company
Cooley	Jacqueline Grise	2 partners 2 counsel 6 associates	3	Uber, Tableau, DocuSign, Qualcomm, Roku, SpaceX, Stratasys and Snap
Crowell & Moring	Shawn Johnson	10 partners 10 counsel 10 associates	1	AT&T, Gwinnett Health System, United Technologies, Humana, United Airlines, CSX Transportation, Blue Cross Blue Shield
Kilpatrick Townsend & Stockton	Peter Boyle	3 partners	None	Blue Cross Blue Shield of NC, Chrysler/Fiat, Clif Bar, GO Computer, Levi Strauss, Premera Blue Cross, YP Holdings
King & Spalding	Norman Armstrong Jeffrey Spigel	3 partners 3 counsel 3 associates	1	Aaron's, Inc, Christus Health, Endochoice, Energizer, Equifax, HD Supply, Sutter Health, LoneStar Funds, Ochsner Health System, Porsche, Tenant Health, Transocean, WestRock
McDermott Will & Emery	Ray Jacobsen	9 partners 1 counsel 8 associates	None	Dogfish Head Brewery, Martin Marietta Materials, Constellation Brands, Allscripts
Morgan Lewis & Bockius	J Clayton Everett Jr	8 partners 1 of counsel 5 associates	2	Shire ViroPharma, Qualcomm, Pfizer, McGraw-Hill Education, Aurobindo Pharma, Morgan Stanley, Sumitomo Mitsui Trust Bank
Norton Rose Fulbright	Robin Adelstein	6 partners 2 counsel 2 associates	None	Gemalto, Willis-Knighton Health System, DeKalb Regional Health System, CHRISTUS Health, Bausch Health
Orrick Herrington & Sutcliffe	Jay Jurata	6 partners 2 counsel 3 associates	1	Microsoft, Fujifilm, DHL, Molina Healthcare, ELEAD1ONE
Ropes & Gray	Mark Popofsky	4 partners 4 associates	1	Bain Capital, Salt Lake Regional Medical Center, Emroy Healthcare, Charter Communications, Hitachi, Pfizer, Columbia Care
Shearman & Sterling	David Higbee	6 partners 10 associates	2	Raytheon, Chevron, Bank of America, Equinor, 1-800 Contacts, Intercontinental Exchange, Diageo, Blue Cross Blue Shield of Michigan

merger clients include Equifax, HD Supply, Ochsner Health System, Total Systems Services, Transocean and Westrock.

Ray Jacobsen heads **MCDERMOTT WILL & EMERY's** Washington, DC practice, handling deals and litigation across the country. Associate Melanie Hallas left the firm in late 2018 and joined AT&T as senior legal counsel. The firm has been busy with alcohol-related mergers over the past year, acting for Dogfish Head Brewery in its \$300 million acquisition by Boston Beer Company, the makers of Samuel Adams beer. The group also advised Constellation Brands on its \$1.8 billion purchase of assets from E&J Gallo Winery. The parties had received

a second request for information from the FTC in May 2019. Partner Jon Dubrow helped to secure conditional approval for Martin Marietta Materials' \$1.7 billion purchase of Bluegrass Materials in 2018 after the DOJ required divestitures of quarries in Georgia and Maryland. For the past three years, Joel Grosberg has advised Allscripts, a third party to litigation brought by the FTC against rival Surescripts. There, the commission alleges Surescripts has illegally monopolised the market for electronic prescription services. The team also secured approval for a confidential hospital deal that faced a year-and-a-half long probe from the FTC.

MORGAN LEWIS & BOCKIUS' DC antitrust team continued battles with the FTC on two fronts over the last year. On the East Coast, the firm secured affirmation from the US Court of Appeals for the Third Circuit of dismissal of the commission's lawsuit against Shire ViroPharma. Out West, partner Willard Tom attempts to convince the US Court of Appeals for the Ninth Circuit that a district court erred in ruling that the licensing practices of Qualcomm violated federal antitrust law. Across the Pacific, the team turned a \$778 million fine from Taiwan's Fair Trade Commission into a \$93 million settlement. On the merger side, partner Scott Stempel is advising Pfizer as it seeks to combine its off-branded and generic medicines business with generic drug maker Mylan as part of a \$160 billion acquisition. Partners Jonathan Rich and David Brenneman are advising McGraw-Hill Education in its controversial proposed sale to rival educational publisher Cengage. The firm is also advising Aurobindo Pharma on its acquisition of assets from Sandoz. Morgan Lewis considers itself a "Washington version of a Wall Street firm", representing Morgan Stanley in the *Bank Bill Swap Rate* benchmark antitrust litigation and Sumitomo Mitsui Trust Bank in the *Yen Libor* benchmark litigation. It also is antitrust counsel to the US Federal Reserve's alternative reference rates committee.

Few DC antitrust practices have risen like **NORTON ROSE FULBRIGHT** did in 2019. It rang in the new year with the addition of partners Victor Domen and Amanda Wait. Domen came from the office of Tennessee's attorney general, where he also chaired the multi-state antitrust task force of the National Association of Attorneys General. The firm nabbed former FTC attorney Wait from Hunton Andrews Kurth, where she headed the competition and consumer protection practice. Gemalto brought on Norton Rose solely for antitrust work on its \$6 billion sale to Thales, requiring the technical analysis of markets related to encryption keys and cloud services. The DOJ issued a second request and ultimately required the divestiture of certain Thales security modules. Much of the firm's work covers healthcare. The team is currently defending Louisiana hospital system Willis-Knighton Health System against an antitrust lawsuit brought by a rival hospital and an insurance provider, alleging contracts with Louisiana State University Medical School doctors constituted an illegal merger. The practice advised DeKalb Regional Health Systems on its integration with Emory Healthcare in a deal cleared by the FTC and is defending hospital system Christus Health against claims it conspired with other hospitals to suppress nurses' wages.

ORRICK HERRINGTON & SUTCLIFFE's global antitrust practice – headed by Jay Jurata – prides itself on its technical expertise. In Washington, DC, partners James Tierney and Alex Okuliar respectively headed the Antitrust Division's technology section and advised a former FTC commissioner on online platforms and intellectual property. Over the past year, the firm secured clearance for Microsoft on its \$7.5 billion purchase of Github. Jurata successfully negotiated a settlement for client Microsoft in a Canadian court against claims the company had colluded with its manufacturers to eliminate competition. Also for Microsoft, Orrick secured affirmation from the US Court of Appeals for the DC Circuit on the dismissal of antitrust claims brought by licensed locksmiths alleging search engines such as Bing had conspired with scam locksmiths to increase advertising prices. On the plaintiffs side, Orrick represented Fujifilm in a sham litigation lawsuit accusing a rival of attempting to keep Fujifilm's 3D imaging

mammography machines off the market – the parties ultimately settled. It is also representing DHL in litigation accusing United Airlines of fixing prices for air freight services. On the patents side, Orrick's team is representing a major technology company in the DOJ's investigation into standard-setting organisations. Orrick also advised Molina Healthcare on a sale of a subsidiary to DXC Technology, ELEADIONE, on its sale to automotive commerce rival CDK Global and Schlumberger on a joint venture with Rockwell Automation.

It is a busy time to be advising Google on a range of antitrust investigations worldwide, and Mark Popofsky's DC antitrust practice at **ROPES & GRAY** is part of that equation. Over the past year, the team also guided Bain Capital's \$18 billion purchase of Toshiba Memory. The firm is defending Salt Lake Regional Medical Center and IASIS Health against an antitrust lawsuit brought by a surgeon who had his medical staff privileges suspended. Additionally, Ropes acted for Emory Healthcare in its strategic partnership with DeKalb Medical, and for Charter Communications as a third party to the AT&T/Time Warner and T-Mobile/Sprint mergers.

The rapidly developing antitrust practice at **SHEARMAN & STERLING** lost partner Bruce Hoffman and counsel Daniel Francis to the front office of the Federal Trade Commission in recent years, but they poached an official of their own in autumn 2018. Ben Gris joined the practice after having been the former head of the Mergers II Division at the FTC, which sees considerable overlap with Shearman's clients. The firm is advising Raytheon on its proposed \$50 billion acquisition by United Technologies and Viacom on its proposed reunion with CBS. The group acted for Chevron on the antitrust elements of its proposed purchase of Anadarko Petroleum before Chevron removed its bid. Shearman also defended Chevron's GS Caltex against the Antitrust Division's criminal price-fixing charges, which alleged a conspiracy to artificially raise prices of fuel sold to US military bases in South Korea. GS Caltex pleaded guilty, facing \$104.2 million in civil and criminal fines. Shearman is defending Blue Cross Blue Shield of Michigan against multi-district litigation alleging illegal market allocation. Shearman also took over for 1-800 Contacts in its appeal of rulings from the FTC's internal tribunal. The agency's commissioners found deals with competitors limiting bids for search engine ads to be in violation of federal antitrust law. Additionally, the firm is defending 1-800 Contacts in the private follow-on litigation.

Among the other antitrust practices in Washington, DC to watch is **WINSTON & STRAWN**, which in 2018 added partners Neely Agin from Norton Rose Fulbright and Eric Meiring, former assistant chief of the Criminal II Section at the Antitrust Division. **BAKERHOSTETLER's** recent hires such as Marc Schildkraut also indicate a firm with bigger competition ambitions. Sharis Pozen, a former acting head of the Antitrust Division, joined **CLIFFORD CHANCE** after a stint at General Electric where she worked in-house; observers say that if anyone can establish an English Magic Circle firm in DC, she can. John Roberti at **ALLEN & OVERY** also remains on the radar, as he defends companies involved in multi-district antitrust litigation involving *Packaged Seafood, Auto Parts, Lithium Ion Batteries, Cathode Ray Tubes* and *Air-Cargo Fuel Surcharges*. Peers praise Howard Shelanski at **DAVIS POLK & WARDWELL** as a "terrific" antitrust thinker.