Antitrust Litigation

Getting Through

Over the past decade, criminal and civil penalties for antitrust violations have been aggressively pursued on a broad basis by federal regulators and state attorneys general, as well as by regulatory bodies in the European Union. Our team has experience shepherding large, complex mergers and acquisitions through the distinct frameworks of competition authorities around the world. Our attorneys provide antitrust counseling and defend against criminal and civil actions, representing U.S. and international clients in highly-regulated industries, including financial services, telecommunications, transportation, health care, and energy.

Reach

Clearing Hurdles

Kilpatrick's antitrust attorneys regularly represent companies in obtaining clearance of mergers and acquisitions under the Hart-Scott-Rodino Act, as well as in investigations, consent decree negotiations, and litigation that may follow the announcement of an acquisition. We have handled matters before the Department of Justice's Antitrust Division, the Federal Trade Commission, state attorneys general, and the European Commission. Our team provides antitrust counseling around effective distribution programs, pricing issues, and collaborative activities, including trade associations, joint ventures, consortia, and joint bidding. We also advise on how to avoid antitrust problems related to gun jumping, information exchanges, and pre-merger integration and planning, particularly in connection with large, complicated deals.

Approach

Knowing The Rules

Antitrust agencies approach enforcement using sophisticated economic analyses and prior agency rulings. Our attorneys' understanding extends beyond conventional case law to a familiarity with the way agencies operate. In civil actions, we represent national and international companies as both plaintiffs and defendants in claims brought under statutes addressing restraint of trade and monopolization, mergers and acquisitions, price discrimination, state antitrust laws, and matters before the Federal Trade Commission. On the criminal side, our antitrust, white-collar crime, and investigative teams ably represent companies, individual targets of investigations, and witnesses in a variety of antitrust criminal matters. These include grand jury proceedings, amnesty and immunity negotiations, plea agreements, and trials. We conduct and coordinate investigations of criminal matters within the U.S. and throughout the world.

Primary Contacts



Peter M. Boyle

Partner
t 202.508.5831
pboyle@ktslaw.com