

GCR

GLOBAL COMPETITION REVIEW

100

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

The GCR 100

The *GCR 100* is a guide to the world's leading competition practices; its sister survey, the *Economics 20*, is a guide to the leading economics consultancies. Compiled by the staff of *Global Competition Review*, the survey is the only publication to provide such an extensive qualitative analysis of the world's antitrust marketplace.

For the second year, we have profiled more than 250 law firms, as well as 20 economics consultancies. Firms from 39 jurisdictions feature in this survey – a reflection of our desire to provide truly global analysis, and a consolidation of our work over the past decade.

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Our entries here are based on the information we gather during our country surveys. Every month, we send reporters to two different jurisdictions. They meet the key players in local markets, talk to lawyers about their firms and their competitors, and come away with, we believe, an extensive understanding of the market. Over the past year we've surveyed Argentina, Brussels, Brazil, Canada, Denmark, Finland, Germany, Greece, Ireland, Italy, New York, Slovakia, South Africa, the United Kingdom, Washington, DC, and more.

In each country chapter we divide firms into three groups: elite, highly recommended and recommended. Firms are listed alphabetically in each division. Some firms appear several times in the publication, because they have strong practices in more than one jurisdiction.

For the *GCR 100*, we have contacted every one of the firms included in our monthly surveys and asked them to update their information and to provide an overview of their work.

As well as our country surveys, we use knowledge garnered through our daily news reporting duties to inform our analysis. Each day, *GCR* reporters talk to lawyers in numerous jurisdictions. If we're writing about Japan, we speak to Japanese lawyers; when there's a lawsuit in Illinois, we'll call up Chicago.

However, knowing which is the best firm in an individual jurisdiction doesn't necessarily tell you how it performs on a global stage. That's where our *Global Elite* comes in. It contains our assessment of the top 20 competition practices in the world, including detailed profiles of each featured firm.

To assess the best of the best, we considered several criteria. Though by no means the only indicator of quality, the size of a firm's practice tells us a lot. Big practices can handle big work, and lawyers cost money. So it makes sense to assume that firms paying for large competition teams can justify them in terms of the value they add.

But size isn't everything. We also considered the leading individuals in each practice, using our sister publication, *The International Who's Who of Competition Lawyers*, to help us. The *Who's Who* is the product of exhaustive research conducted over the year, in which researchers speak to several hundred lawyers to canvass their views on the very best individuals in the field. The number of individuals from a given firm featured in the *Who's Who* tells us much about that firm's quality.

As in past years, we also asked each firm in our survey to tell us which other firm's competition practice they most admired. The answers to that question form the other qualitative assessment criterion.

Finally, we looked at the stability of a firm's antitrust team: who's hiring, who's firing, who's promoting and who's leaving. Successful firms hang on to the best, and they recruit the best.

This survey is designed to provide food for thought, a starting point for a wider discussion not only of who's the best, but what it even means to talk about antitrust practices in terms of better and worse.

We do hope though, that it has a practical purpose too, as a resource for in-house counsel looking for firms to employ, and for law firms themselves, who may need to refer work, or simply to extend their foreign contacts base.

Finally, a note on the specific information provided for each firm. For those that make the *GCR 100*, but not the *Global Elite*, we list the practice head, the number of specialists (broken down by partner, counsel, consultants, and senior and junior associates) and the firm's major clients.

For the *Global Elite*, the criteria are extended. We include not only the number of *Who's Who* nominees in a firm, but also what percentage of the partnership is in *Who's Who*. We list lateral hires, partner departures and partner promotions in the past year. Finally, we look at the competition department as a percentage of the firm as a whole, to distinguish between firms that see competition as a main source of work, and those for which it is just one of many departments that feed at the table of larger corporate practices.

Our data cover the period 31 July 2008 to 1 August 2009, though significant changes since the end of this period are mentioned, where possible, in the commentary.

Brussels

As 2008 drew to a close, many competition lawyers were left reeling. As funds dried up, would mergers too? Or would there be a spate of shotgun weddings, as companies scrambled to join forces in a bid to beat the recession? Would there be enough behavioural work to go around? And would the European Commission remain a credible entity, in the face of political pressure from member states anxious to save their ailing economies?

A year on, many of these fears have thankfully proved unfounded. Lawyers concede that there has been a downturn in transactional work, which has been felt most strongly among the merger powerhouses, but the relentless efforts of the European Commission have ensured that there is a regular diet of behavioural work to feed the appetite of the Brussels competition bar.

Multinational law firms dominate the pack. But individual reputations, as well as firm brands, play a part in determining which team an in-house counsel will retain. An increasing number of US firms have established strong Brussels practices, while the UK's magic circle continues to make its presence felt, often supporting strong London-based corporate practices.

A handful of other firms that are not included in the survey below also have notable competition practices in Brussels. Ashurst LLP, Bredin Prat, Hengeler Mueller, Gleiss Lutz, Herbert Smith LLP and Bonelli Erede Pappalardo all have competition expertise. But each firm is stronger in its home jurisdiction, and the Brussels team largely services a bigger practice elsewhere.

A number of other US firms have also established themselves in Brussels – Crowell & Moring LLP and Dechert LLP, for instance – but their practices are still growing and have yet to become as established as other US imports. Finally, Baker & McKenzie, which boasts the world's second-largest competition team, also has a Brussels branch, whose strength is derived from its unrivalled global reach.

ELITE

Cleary Gottlieb Steen & Hamilton LLP is widely considered to be the best firm for competition in Brussels. If we had a category higher than "Elite", Cleary would be in it. Its 69-strong competition group includes 13 partners, seven of whom were nominated in *The International Who's Who of Competition Lawyers and Economists*. The firm boasts former commission officials John Temple Lang and Francisco-Enrique González-Díaz among its ranks, while partner Nicholas Levy's peers voted him *Who's Who* Competition Lawyer of the Year last year. Meanwhile, partner Romano Subiotto was appointed Queen's Counsel this year. "Cleary is the number-one firm in Brussels," says one lawyer. Others echo that sentiment.

As such, the firm has played a large part in the many of the most high-profile cases to come before the European Commission. Cleary represented Sony and SonyBMG in the landmark case before the European Court of Justice, which saw the court overturn a ruling from the Court of First Instance annulling the commission's approval of the tie-up of Sony and BMG. The firm advised Broadcom when it alleged that Qualcomm was charging excessive royalties and steered through the merger of Merck and Schering-Plough, and Google's acquisition of DoubleClick.

Telecom Italia, Arcelor Mittal and Molson Coors are also on the firm's impressive client roster.

Freshfields Bruckhaus Deringer LLP also fields an impressive team in Brussels, with 12 partners, one counsel, one of counsel and 35 associates. The team is led by David Broomhall, one of nine nominees to *Who's Who*. The group celebrated the 20th anniversary of the opening of its Brussels office in September.

The Brussels competition group undoubtedly benefits from the firm's strong London team, which sends a lot of mergers its way, though the Brussels practice generates much of its own work. It has steered mergers past the European Commission on behalf of BASF, Iberia and ConocoPhillips.

Recently, the Freshfields team says it has handled an unprecedented number of state aid cases, triggered by the financial crisis. It advised the Bank of England on the rescue package for Bradford & Bingley, and German bank BayernLB on emergency aid granted by the commission.

The firm has been involved in several prominent behavioural cases before the commission, including the air cargo, freight forwarding, electronics and chemicals investigations. It is also defending ThyssenKrupp against damages claims brought by the European Commission as a result of the elevators cartel investigation. The case marks the first time the commission has ever brought a private complaint against a cartel.

Other clients include France Telecom and Visa Europe, both of which have faced abuse of dominance allegations from DG Comp.

Howrey LLP has been one of the most successful US firms in penetrating the Brussels market. Practice head Trevor Soames credits the collegiality of the partners with much of the group's success, although given that Soames launched the practice less than eight years ago, a good deal of that credit should go to him. Its 17 partners and two counsel consult closely on major cases, which allows them to exchange information effectively, and to do away with the traditional structure of one partner heading a team of associates.

Perhaps the biggest testament to the firm's excellent record this year was its instruction by Microsoft to handle the European Commission's investigation of the alleged tying of Internet Explorer with the Windows operating system. It is also defending Qualcomm against allegations of abuse of dominance in the licensing of wireless telecommunications technology and the sale of chipsets.

The Brussels practice, which includes *Who's Who* nominees Julian Joshua, Damien Geradin and Götz Drauz, among others, is also actively involved in several investigations before the European Commission, advising Samsung Electronics in the DRAM investigation and United Airlines in the air cargo cartel investigation. Meanwhile, it has steered through Anheuser-Busch's US\$52 billion acquisition of Inbev and Schering-Plough's €11 billion acquisition of Akzo Nobel's human and animal health businesses.

Partner Michael Schütte left Howrey this year to set up his own firm.

Linklaters LLP boasts an impressive seven nominees in *Who's Who*. Gerwin Van Gerven, a past recipient of *Who's Who Legal's* Competition Lawyer of the Year award, heads a large team of 28, which includes seven partners. The firm is working on numerous merger control investigations, many of which stem from its London base or other offices in the firm's international network. Like many practices, the team reports slightly fewer deals than normal because of the economic downturn. But cartel work and crisis M&A have kept the team busy in the interim. Partner Bernd Meyring says the number of state aid cases landing on desks has also "skyrocketed" as a result of the financial crisis. The team has handled state aid and merger control work for clients including JP Morgan, Lloyds/HBOS and Bank of America/Merrill Lynch. Other clients of the firm include Metro Group, Aer Lingus, J&J and Saint-Gobain. The group also represented several successful leniency applicants in the marine hose cartel case.

The team has begun to see early signs of an increase in private damages cases, following the European Commission's drive to increase the use of this form of redress. "It's been slower than we would have thought five years ago, but it's now definitely a substantial area of work in almost every defence," says Meyring.

HIGHLY RECOMMENDED

At **Arnold & Porter LLP**, Marleen Van Kerckhove leads the competition team. She works alongside partner and fellow *Who's Who* nominee Luc Gyselen, while a further two partners divide their time between London and Brussels. They are supported by two counsel and three associates.

Arnold & Porter is a recent addition to the Highly Recommended category, after hiring *Who's Who* nominee Annette Luise Schild, partner Silvio Capellari, and one associate, from Shearman & Sterling's Brussels practice in August 2009.

It is representing Sanyo in the company's sale to Panasonic and it advised Pfizer in its acquisition of several of Schering-Plough's animal health divisions.

Like many Brussels-based practices, the group tends to handle more transactional work – it advised General Electric on its acquisition of joint control of Landmark Communications, which was cleared at phase I by DG Comp.

Nonetheless, the team also picks up its share of behavioural work. It represented the European Federation of Pharmaceutical Industries and Associations as an intervener in an appeal against the AstraZeneca decision before the European Court of First Instance.

Clifford Chance's 20-strong competition group includes three partners and four counsel. Practice head Tony Reeves is nominated in *Who's Who*, alongside partner Simon Baxter. The team divides its time fairly equally between transactional and behavioural work, and is supported by colleagues in 17 other jurisdictions. The firm advised on the £68 billion tie-up of Pfizer and Wyeth, which will create the world's largest research-based biopharmaceutical and healthcare products company. It is also representing Pfizer on its joint venture with GlaxoSmithKline to produce HIV medication. Pfizer uses Clifford Chance for competition advice when it has not retained the firm as corporate counsel. Other high-profile mergers handled by the team include *Oracle/Sun Microsystems* and Inbev's acquisition of Anheuser-Busch.

On the behavioural side, Thomas Vinje represents the European Committee for Interoperable Systems in its complaints against Microsoft, while Reeves handles NEC's article 82 case against Qualcomm. The firm has also been involved in several major cartel

investigations before DG Comp, representing Bridgestone in the marine hose case and Kone in the elevators cartel, among others.

Skadden Arps Slate Meagher & Flom LLP is well known for its outstanding merger work. Practice heads James S Venit and Barry Hawk lead a team that includes a further two partners, two counsel and 12 associates. "Transactional work, after a relatively slow start in 2009, is clearly picking up again," says partner Frederic Depoortere.

In the past 18 months, the firm has advised Renault in its proposed acquisition of a stake in Russian manufacturer Avtovaz and the Coca-Cola Company in its US\$2.3 billion acquisition of China's Huiyuan Juice Group. Other high-profile cases handled by the team include Wrigley's acquisition by Mars and Applera Corporation/Applied Biosystems proposed acquisition by Invitrogen. Meanwhile, the group says its behavioural work "has also increased very significantly". The team is also working on Intel's appeal against the European Commission's €1 billion abuse of dominance fine.

At **Slaughter and May**, partners John Boyce and Claire Jeffs – both nominees in *Who's Who* – lead a team of six associates. The team has a strong reputation in the merger field, and cooperates closely with its London office, where much of the work is generated. It also shares its Brussels office with four "best friend" firms: Bonelli Erede Pappalardo, Bredin Prat, Hengeler Mueller and Uría Menéndez. "This allows for close cooperation while remaining independent and ensuring that clients benefit from our ability to offer a high-quality, integrated service," the firm says.

The group says it has been busy with cartel investigations of late, in addition to the time it spends on transactional and corporate advisory work.

It represented Bertelsmann on its successful appeal to the European Court of Justice following the Court of First Instance's annulment of the European Commission's unconditional clearance of the SonyBMG recorded music joint venture.

It advised BHP Billiton on its proposed acquisition of Rio Tinto and acts for British Airways on several matters, including the proposed transatlantic merger with American Airlines and Iberia, which is under an article 81 investigation by DG Comp.

Other clients include Ineos, Telelogic, DuPont and Unilever.

At **Van Bael & Bellis**, *Who's Who* nominee and name partner Jean-François Bellis leads a competition team of 12 partners and 15 associates. Bellis says the team handles "all aspects of competition law", though the firm's boutique status means the focus is usually on behavioural, rather than transactional matters, and all competition work is self-generated.

In the past year, Van Bael & Bellis has advised Japan's five largest steel mills in their opposition to the tie-up of BHP Billiton and Rio Tinto. It also filed an appeal before the European Court of First Instance on behalf of the International Confederation of Societies of Authors and Composers (CISAC) against a 2008 DG Comp decision, which found that representation agreements violated article 81.

Van Bael & Bellis is representing Microsoft in its appeal before the CFI against an €899 million fine levied against the company for allegedly failing to offer interoperability information at "reasonable" rates. Meanwhile, the firm is handling Dole's appeal to the CFI, after the company was implicated in a cartel in the market for bananas.

Wilmer Cutler Pickering Hale and Dorr LLP now has five competition partners, following the departure of *Who's Who* nominee Marco

Bronckers to Vermulst Verhaeghe & Graafsma earlier this year. But Brussels competition head John Ratliff says Bronckers only devoted a small proportion of his time to competition. Ratliff is also nominated to the *Who's Who*, alongside all of his Brussels partners. They are supported by four counsel and 11 associates.

Despite having a smaller corporate practice supporting it than some of its rivals, the firm's competition group has been handling an increasing number of mergers over the past two years, Ratliff says. It managed StatoilHydro's acquisition of Jet retail petrol stations from ConocoPhillips. The €30 billion deal was cleared by the European Commission following an in-depth investigation. DG Comp required divestitures for the deal to proceed. WilmerHale handled the sales.

Lufthansa is another of the firm's most prominent clients. WilmerHale advised the German airline on its acquisition of Brussels Airlines, which also underwent a phase II investigation, and its takeover of Austrian Airlines and a minority stake in BMI.

At **White & Case LLP**, Brussels competition head Ian S Forrester is greatly admired by his peers. "He's one of the most impressive figures on the Brussels scene," says one competition partner at a rival firm. Together with Van Bael & Bellis, Forrester handled Microsoft's appeal against an €899 million fine imposed by the European Commission, after the company allegedly failed to comply with a 2004 decision requiring it to license interoperability information for a reasonable fee. But Microsoft is far from being the firm's only high-profile case; White & Case counts GlaxoSmithKline and Rambus among its clients. The firm is representing Toshiba in the commission's switchgear cartel case and it is advising five companies on the pharmaceutical sector inquiry. It also helped secure a 40 per cent reduction in fines imposed on Nintendo for hindering parallel trade, after the video game company cooperated with proceedings. The judgment, handed down by the Court of First Instance earlier this year, was the second-largest reduction in fines in competition history.

The team, which includes seven partners, two counsel and 26 associates, does a great deal of litigation work. "That's not something that has dropped off as a result of the financial crisis," says partner James Killick. On the transactional side, it has steered through *Sanofi-Aventis/Zentiva* and *Nordic Capital/ConvaTec*.

RECOMMENDED

Allen & Overy LLP has four Brussels-based partners, three of whom – Dirk Arts, Martin Bechtold and Michael Reynolds – are nominated in *Who's Who*. They are supported by one counsel and 15 associates. Though the group has no formal head, the competition practice's management committee includes Brussels-based partner Michel Struys.

"We really handle a mixture of work; it's a very balanced practice," says Struys. "Mergers have been less important of late – on average, we're spending between 50 and 60 per cent of our time on behavioural work right now."

The firm has a steady stream of work, advising Hitachi in the LCD investigation by the European Commission and representing Micron in its abuse of dominance case against Rambus. The Brussels team also works closely with the London office, advising Thomson/Reuters on an appeal initiated by a third party to the tie-up.

Covington & Burling LLP enjoys a varied diet of competition work that includes lots of competition litigation. As such, it has been less affected by the financial crisis than some rival practices, which depend on a steady stream of referrals from their corporate team.

Practice head David W Hull wins praise from rivals. The *Who's Who* nominee is supported by two partners, one special counsel and five associates.

The team is particularly known for its litigation practice before the European courts, and has represented Ryanair, Microsoft and Qualcomm in litigation proceedings. "We also have a particular niche in the hi-tech sector, where we help clients deal with issues arising at the interface between IP and competition law," says Hull.

The team is also known for its expertise in the pharmaceutical sector and has helped clients "cope" with the demands of the pharmaceutical inquiry, where the data requests sent out by the commission have been extensive.

At **Hogan & Hartson LLP**, partners John E Pheasant and Catriona Hatton, who are both *Who's Who* nominees, steer a team of two counsel and three associates. Pheasant, who splits his time between Brussels and London, focuses more on cartel cases, while Hatton places more emphasis on transactional work. "We've been really busy, especially since February," says Hatton. "Those companies that do have cash are looking to take advantage of the financial climate through mergers and acquisitions. Others need to look at strategic mergers in order to achieve the synergies needed to ride out the economic downturn."

The group advised News Corporation when Disney acquired a stake in the media conglomerate, and handled Ford's sale of its Jaguar/Land Rover business. The team also represents Sun Microsystems, and it is defending one company in the air cargo cartel investigation.

Hunton & Williams LLP made a splash this year with the lateral hire of partner Paul McGeown from Linklaters LLP. McGeown, who has been with Linklaters since 2001, making partner in 2004, takes the number of partners in the Brussels competition group to three. They are supported by five associates.

"It's important for us to grow in size, thereby also covering the main national jurisdictions," says partner Michael Rosenthal. "Cartel cases require manpower, as well as an ability to work in other languages to pick up on nuances when conducting interviews."

Hunton & Williams represented Delta Air Lines before the European Commission when it acquired Northwest Airlines to create the world's largest passenger airline. It also advised Airdata in a complaint before the commission regarding frequency allocation in Germany. Other clients include Man AG, Star Capital Partners and Rail Cargo Austria, which acquired MAV Cargo to create Europe's third-largest rail cargo provider.

Jones Day has a 19-strong competition team in Brussels, led by Bernard Amory – one of five partners and three *Who's Who* nominees in the group. In a typical year, the firm divides its time fairly evenly between transactional and behavioural work. Like many of its rivals, Jones Day has seen a downturn in M&A, though it has picked up some "crisis" transactions, including advising General Motors in the sale of its European operations, as well as more state aid work.

The firm represents American Airlines in both the European Commission's air cargo investigation and in its proposed transatlantic joint venture with British Airways and Iberia. It has also advised Apple on several European antitrust challenges related to its iPods and iTunes online music store. Other high-profile clients include Dell, KPN and MasterCard.

Latham & Watkins LLP fields a team of eight partners and 12 associates in Brussels. Howard Rosenblatt is managing partner of the office while Javier Ruiz-Calzado co-chairs the firm's competition practice. Partners Marc Hansen and Andreas Weitbrecht are nominated in *Who's Who*, and this year, the firm promoted Eric Barbier de la Serre to partner.

"Our entire office focuses on competition work, and we also handle other EU regulatory issues as well," says Rosenblatt.

The team is advising music promoter Live Nation on its US\$2.5 billion merger with US ticketing agent Ticketmaster. It represents Oracle in its US\$7.4 billion acquisition of Sun Microsystems and the firm represented RTL and Music Choice in a landmark case in which the commission ordered European collecting societies to compete with each other across geographical borders.

The team is handling several cartel investigations before the commission and at the member state level, including representing Singapore Airlines in the air cargo investigation.

When asked about O'Melveny & Myers LLP, lawyers respond "AMD". The Brussels competition team represented Advanced Micro Devices, whose complaints to the European Commission saw rival Intel hit with a landmark €1 billion fine this year for abuse of dominance. The firm is understandably proud of its work on the case. "It's our signature case and it attracted a lot of attention both from a legal and political point of view," says partner and Brussels competition head Riccardo Celli. "Leaving aside the record fine, it was an important decision because it was the first case in which the commission applied a more rigorous economic analysis to an abuse of dominance ruling." Celli works alongside partner Christian Riis-Madsen, two counsel and six associates.

But AMD is not the only string to the firm's bow. The competition team has an active M&A practice, handling the tie-up of both Tui/First Choice and Delta Air Lines/Northwest Airlines. The group also handles all of Honeywell's competition work. On the cartel front, O'Melveny successfully defended one company that had been implicated in the banana cartel, ensuring the commission took no decision against the company.

At Shearman & Sterling LLP, the competition team divides its time fairly evenly between transactional and behavioural work, though

it too has seen a dip in mergers over the past six months. There have been a number of staffing changes at the firm this year, as Brussels partners Annette Luise Schild and Silvio Cappellari left the firm for Arnold & Porter in August, along with associate Stephanie Birmanns.

Then in September, the firm's Düsseldorf antitrust team relocated to the Brussels office to consolidate the firm's European antitrust capacity. Former Düsseldorf practice leader Hans Jürgen Meyer-Lindemann – who split his time between Brussels and Düsseldorf – now heads the Brussels team full-time. He was joined in the move by counsel Mathias Stöcker and associate Jan Henrik Wiethoff. Shearman & Sterling's Brussels competition practice now has nine antitrust specialists.

The Brussels team is also working on several article 82 complaints, including one in the energy sector on behalf of a client who is closely related to the government of a member state.

Other clients include BASF, Eramet, Paramount and Société Générale.

Sidley Austin LLP's Brussels competition team includes four partners and four associates, led by *Who's Who* nominee Stephen Kinsella OBE, who launched the firm's EU competition practice with partner Stephen O Spinks in 2005. Kinsella also coordinates the firm's global antitrust group.

"At present, we are busier on behavioural work than transactional matters, although we are still regularly working on merger control projects," the team says. "Happily, the economic crisis seems to have had the opposite effect on the flow of advisory work we are seeing, including counselling and representation in connection with EC antitrust and cartel investigations, compliance issues, competition policy advocacy, and litigation."

The firm's clients include Aon Corporation, whose US\$1.75 billion acquisition of Benfield Group brought together the world's largest and third-largest reinsurance brokers. It also advises eBay on a number of matters, including the European Commission's review of the vertical restraints regulation.

Sidley Austin is representing the commission before the Court of First Instance in relation to four appeals against DG Comp's infringement decision in the copper fittings cartel case. Other clients of the group include Talecris Biotherapeutics, Microsoft and Formula One regulator Fédération Internationale de l'Automobile.

FIRM	HEAD OF COMPETITION PRACTICE	SIZE	CLIENTS
Elite			
Cleary Gottlieb Steen & Hamilton LLP	None	13p, 1c, 55a	Sony, Broadcom, Merck, Google, Telecom Italia, ArcelorMittal, Molson Coors
Freshfields Bruckhaus Deringer LLP	David Broomhall	12p, 1c, 1oc, 35a	BASF, Iberia, ConocoPhillips, Bank of England, ThyssenKrupp, France Telecom, BayernLB, Visa Europe
Howrey LLP	Trevor Soames	17p, 2c, 3sa, 21a	Microsoft, Qualcomm, Samsung Electronics, United Airlines, Anheuser-Busch, Schering-Plough
Linklaters LLP	Gerwin Van Gerven	7p, 1oc, 5sa, 15a	JP Morgan, Lloyds/HBOS, Bank of America/Merrill Lynch, Metro Group, Aer Lingus, Saint-Gobain, Johnson & Johnson
Highly recommended			
Clifford Chance LLP	Tony Reeves	3p, 4c, 13a	Pfizer, Abbott Laboratories, GE, NEC, Bridgestone, Kone, InBev
Skadden Arps Slate Meagher & Flom LLP	James S Venit, Barry Hawk	4p, 2c, 12a	BlackRock, Applera Corporation/Applied Biosystems, Renault, Coca-Cola Company, Yahoo!
Slaughter and May	John Boyce, Claire Jeffs	2p, 6a	Bertelsmann, BHP Billiton, Ineos, Telelogic, DuPont, Unilever
Van Bael & Bellis	Jean-François Bellis	12p, 15a	Microsoft, Dole, International Confederation of Societies of Authors and Composers, Interdean, Japan Airlines, Thai Airways
Wilmer Cutler Pickering Hale and Dorr LLP	John Ratliff	5p, 4c, 11a	StatoilHydro, Lufthansa, Association of European Airlines
White & Case LLP	Ian S Forrester	7p, 2c, 26a	Microsoft, GlaxoSmithKline, Rambus, Toshiba, Nintendo
Recommended			
Allen & Overy LLP	Michel Struys, Mark Friend, Paul Glazener	4p, 1c, 15a	Thomson/Reuters, Micron, Hitachi
Arnold & Porter LLP	Marleen Van Kerckhove	4p, 2c, 5a	Sanyo, Pfizer, GE, European Federation of Pharmaceutical Industries and Associations
Covington & Burling LLP	David W Hull	3p, 1sc, 5a	Ryanair, Microsoft, Qualcomm, EA, Procter & Gamble, Samsung
Hogan & Hartson LLP	Catriona Hatton, John Pheasant	2p, 2c, 3a	News Corporation, Ford, Sun Microsystems
Hunton & Williams LLP	Michael Rosenthal	3p, 5a	Delta Air Lines, Airdata, Man AG, IATA
Jones Day	Bernard Amory	5p, 1oc, 13a	Dell, KPN, MasterCard, American Airlines, Apple, SAP
Latham & Watkins LLP	Howard Rosenblatt, Javier Ruiz-Calzado	8p, 12a	Live Nation, RTL, Music Choice, Iberdrola, Singapore Airlines
O'Melveny & Myers LLP	Riccardo Celli	2p, 2c, 6a	AMD, Honeywell, TUI, Northwest Airlines
Shearman & Sterling LLP	Hans Jürgen Meyer-Lindemann	2p, 1c, 6a	BASF, Eramet, Paramount, Société Générale
Sidley Austin LLP	Stephen Kinsella OBE	4p, 4a	Aon Corporation, eBay, Talecris Biotherapeutics, Microsoft, Fédération Internationale de l'Automobile

Key: p = partner. oc = of counsel, c = counsel, sa = senior associate, a = associate

United States: Governmental Antitrust

In Washington, DC, the door between the public sector and private practice is well oiled. In fact, almost all of the firms surveyed below can boast at least one team member with top-level experience at one or both of the US antitrust agencies

Key figures move quickly in and out of government, and antitrust trends move rapidly in Washington – depending on the ruling party, the phase of the political administration and the economic climate. Merger review work, predictably, slowed down as the financial crisis took hold. But even as the recession hit, competition practices geared up for increased enforcement from the Obama administration, following what some characterised as eight years of a more laissez-faire approach under President Bush.

Of course, there are celebrated antitrust specialists working out of offices all over the country. Many of them also handle government work, particularly in New York. But DC firms enjoy a unique position in the US seat of government. Their proximity to the enforcement agencies means they are the first port of call when federal antitrust officials begin an investigation. For that reason, we're calling this our US governmental antitrust chapter.

In contrast to some of our other surveys, few “boutiques” are mentioned. Baker & Miller comes closest to fitting this category, with just eight lawyers, all focusing their time on competition and regulatory work. But they are the exception to the rule. Most of the firms featured here have a strong national or international network of offices, and most work closely with practices in New York. This survey does not cover every Washington, DC-based antitrust practice. Rather, this is our pick of the city's leading government antitrust-focused firms.

ELITE

Arnold & Porter LLP is cited as the leading antitrust practice in Washington, DC by many of its rivals. Global practice chair William J Baer, a nominee in *The International Who's Who of Competition Lawyers and Economists*, leads a team of 31 partners, 11 consultants and of counsel, and 43 associates in the firm's DC office. The team includes a further five *Who's Who* nominees.

The competition group boasts an impressive roster of clients and handles a range of antitrust matters. Government investigations are a large part of the practice, and Arnold & Porter is representing clients in cartel investigations in the markets for financial services, speciality chemicals, computer equipment and the airline sector, among others.

The group also has a large litigation practice, representing Visa in litigation brought by Discover Financial Services, and defending BP against allegations that it conspired to keep Alaska North Slope out of the market for natural gas.

The team has also handled antitrust litigation this year for companies including General Electric, GlaxoSmithKline, Nucor and Philip Morris USA.

On the transactional side, Arnold & Porter's competition team acts for AT&T, whose US\$2.35 billion takeover of Verizon Wireless has faced scrutiny from the Department of Justice's antitrust division. The antitrust practice also managed NBC's takeover of The Weather Channel and Pfizer's merger with Schering-Plough. Other clients for M&A work include Talecris, Exmar, Hitachi, Nasdaq and Itochu.

Cleary Gottlieb Steen & Hamilton LLP has enjoyed considerable success on both sides of the Atlantic. It wins almost universal praise from rivals, many of whom cite the firm's antitrust group as one of the strongest in DC. *Who's Who* nominee George S Cary leads a team of seven partners in DC, including fellow nominees Mark Leddy and David I Gelfand, as well as three counsel.

In the past year, Cleary has worked on several major transactions, winning clearance from the DoJ for the sale of Financial Security Assurance to Assured Guaranty. It also steered Dow Chemical's \$18.8 billion acquisition of Rohm and Haas past the Federal Trade Commission's bureau of competition, as well as securing competition clearance for EMC's takeover of Data Domain.

The competition group's litigation practice has also been thriving. The team acts for LG Display in the DoJ's investigation of allegations of price fixing in the liquid crystal display (LCD) industry. LG Display agreed last year to plead guilty and pay a fine of \$400 million. Cleary Gottlieb is handling direct and indirect purchaser civil litigation that has arisen following the DoJ investigation.

Other clients represented by the antitrust group include Medtronic, Aspen Technology, Citigroup, GlaxoSmithKline, Arcelor-Mittal and Whirlpool.

Hogan & Hartson LLP has a strong and varied practice that encompasses court proceedings, merger investigations and clearances and governmental, non-merger investigations. The remainder is devoted to counselling and compliance work.

The DC office boasts three nominees to *Who's Who*: practice chair Philip C Larson and partners Joseph Krauss and Janet L McDavid. They are joined by a further seven partners, nine associates and two counsel. The team is well respected by peers. Three partners departed the firm this year after being offered positions in the Obama administration, most notably Christine Varney, now head of the antitrust division at the DoJ. She was joined at the department by Sharis Pozen, while Mary Ellen Callahan moved to the Department of Homeland Security.

The group is advising WellPoint Inc on antitrust issues related to the \$4.7 billion sale of its pharmacy benefit management business. It also represents UnitedHealth Group and PacificCare in an antitrust lawsuit alleging price fixing and fraud in prescription drugs.

Hogan & Hartson is representing Venezuela in an appeal before the Fifth Circuit. Plaintiffs brought antitrust actions against the national oil companies of Venezuela and Saudi Arabia and their American subsidiaries and against Lukoil and its American subsidiaries. The plaintiffs claimed that the companies agreed to reduce output and thereby increase prices on the price of crude oil in the United States.

Other clients of the firm include Reed Elsevier, Nintendo and News Corp.

At **Howrey LLP**, the antitrust team is keen to stress the strength and breadth of the firm's international practice. With 350 competition specialists based in 17 offices worldwide, the group's resources are impressive.

In DC, Sean F X Boland and Alan M Wiseman co-chair the antitrust group. Rivals point to James F Rill as a "star" name within the practice, which consists of a further six *Who's Who* nominees. MJ Moltenbrey joined Howrey's DC office this year from Freshfields Bruckhaus Deringer LLP. Moltenbrey also has experience at the DoJ's antitrust division, most recently as director of civil non-merger enforcement. Dimitri Nionakis also returned to the DC office from DLA Piper LLP.

The group divides its time evenly between antitrust litigation and government investigations. "We're not reliant on deals to keep the antitrust practice strong," says Wiseman. Nonetheless, the group has handled its share of mergers and acquisitions this year, advising Anheuser-Busch Company in its acquisition by InBev and handling Electronic Data Systems's \$13.9 billion acquisition by Hewlett-Packard Company, one of the largest ever mergers in IT services. Howrey is also representing Schering-Plough in its merger with Merck & Co, a transaction valued at over \$41 billion.

Critics say Howrey has a reputation for taking a tough stance with the antitrust authorities. But the firm argues that its willingness to fight, and to take cases to court, is another string to its bow – offering clients more options in negotiations with the FTC and DoJ.

On the litigation side, the firm won eight major antitrust class action cases this year, including representing YRC Worldwide, the largest trucking company in the US, against allegations of fuel surcharge price-fixing, and advising Union Pacific Railroad Company – the largest railroad company in the US – in the freight fuel surcharge antitrust litigation.

Howrey is representing Intel against allegations of monopolisation brought by rival AMD under section 2 of the Sherman Act. Other clients include Nestlé, Philips Electronics, Arch Coal, Eaton Corporation, Monsanto and Qualcomm.

Jones Day is held in high esteem by its rivals, who praise the strength and depth of the antitrust group. This year, David Wales joined the competition team after spending a year serving as acting director of the bureau of competition at the US Federal Trade Commission. Meanwhile, Michael McFalls and Bevin Newman were promoted to partner this year. Global practice head Phillip A Proger leads the DC team of 24 partners, one of counsel, one counsel and 25 associates.

The antitrust group continues to handle numerous high-profile antitrust matters. It was counsel to Abbott Laboratories in its \$175 million acquisition of Ibis Biosciences and it advises American Airlines on plans to form a transatlantic joint venture with British Airways and Iberia. It is also antitrust counsel to Hologic in its \$580 million acquisition of Third Wave Technologies, and to Hunt Petroleum Corporation in its \$4.2 billion acquisition by XTO energy.

On the behavioural side, Jones Day acts for Apple on numerous complaints related to its iPods and iTunes music store. The group is also defending CVS Caremark and Chevron in antitrust litigation, and successfully represented Sanofi-Aventis when the company faced an antitrust jury trial amid allegations that it blocked generic competition for an arthritis drug.

Other high-profile competition clients include XM Satellite Radio Holdings, Toni & Guy USA and MasterCard.

O'Melveny & Myers LLP's antitrust group is chaired by Washington, DC-based *Who's Who* nominees Timothy J Muris and Richard G Parker. The firm says it has been successful in recruiting former

antitrust enforcement officials who now represent clients before those same agencies. The strength of the firm's antitrust team also wins praise from rivals.

The firm advised Advanced Micro Devices in its campaign against Intel, as well as handling regular client Northwest Airlines' merger with Delta Air Lines, which received a second request for information from the DoJ. The deal created the world's largest airline.

O'Melveny represents Honeywell International in numerous state antitrust and consumer class actions alleging that the company engaged in monopolisation of an alleged market for round thermostats. The competition team also advised The Baby Einstein Company, a subsidiary of The Walt Disney Company, during the Federal Trade Commission's investigation of whether the company violated Section 5 of the Sherman Act.

Other clients include Capital One Corporation, SanDisk Corporation and Western Digital Corporation.

Weil Gotshal & Manges LLP is cited by many as one of the leading Washington, DC-based antitrust practices. *Who's Who* nominee Steven A Newborn heads the DC team. He is supported by fellow nominee Ann Malester, and a further six partners, three counsel and one consultant.

The group represents Chrysler Canada in one of the largest antitrust actions in the US courts with alleged damages of approximately US\$3 billion. Over 100 state and federal class action lawsuits were filed against the major carmakers from 2003 to 2007 alleging that the manufacturers had illegally conspired to prevent new vehicles sold in Canada from entering the United States for resale. The district court ruled that plaintiffs had failed to put forward sufficient evidence that they had been injured by the alleged conspiracy. Weil Gotshal also successfully defended Shell Oil Company against allegations that it had participated in an improper exchange of information with certain major oil companies.

On the transactional front, the competition team handled Panasonic Corporation's \$10.6 billion acquisition of Sanyo Electric.

Other competition clients include Michael Foods, Providence Equity, Exxon Mobil and Johnson & Johnson.

Wilmer Cutler Pickering Hale and Dorr LLP boasts an impressive four nominees in *Who's Who*. Thomas Mueller, co-head of the competition group, is one of nine full-time antitrust partners in DC, who are supported by five counsel, six senior associates and three associates, plus additional partners from the litigation group. This year, partner A Douglas Melamed left the DC antitrust team to join Intel as general counsel. Shortly afterwards, Robert Bell quit the team to head up the antitrust group at Kaye Scholer LLP in New York.

Nevertheless, the team continues to handle a variety of antitrust work including litigation, cartel and abuse of dominance investigations, and merger control. On the litigation front, it advised Braintree Laboratories, a branded pharmaceutical company accused of violating section two of the Sherman Act. It also negotiated a favourable settlement for Broadcom in its dispute with Qualcomm over the licensing of standards patents. Among others, the team has also advised Cephalon, Disney, HSBC, Repsol and Rambus in antitrust litigation.

Behavioural work this year has included defending Intel against allegations that it unlawfully monopolised the market for computer microprocessors. It also advises two freight forwarding companies on cartel investigations run by the Department of Justice's antitrust division and the European Commission.

In the field of merger control, WilmerHale advised BAE on its US\$450 million acquisition of MTC Technologie, as well as handling Verizon's \$28.1 billion acquisition of Alltel.

HIGHLY RECOMMENDED

Freshfields Bruckhaus Deringer LLP established an antitrust practice in Washington, DC in 2002. The team includes practice head and partner Robert Schlossberg, who has chaired the M&A committee of the American Bar Association's antitrust division, and partner Paul Yde, who spent time at the Federal Trade Commission and now handles a great deal of federal antitrust investigations. Both are nominated in *Who's Who* alongside counsel Terry Calvani, who served as an FTC commissioner for seven years and later headed the criminal cartels division of Ireland's Competition Authority. Partner MJ Moltenbrey left the firm in July to join the partnership at Howrey LLP.

This year, the DC team handled K&S's acquisition of Morton Salt from The Dow Chemical Company, which created the world's largest salt producer. It also advised Continental Airlines on its entry to the Star Alliance, alongside United Airlines.

The team represents BASF on its takeover by speciality chemical company Ciba Holding, which has been subject to review by the Federal Trade Commission's bureau of competition. It also advised Cengage Learning during the DoJ's review of its takeover of Houghton Mifflin College.

On the behavioural side, Freshfields is acting for a multinational bank in the DoJ investigation of credit derivatives.

Gibson Dunn & Crutcher LLP has a 22-strong antitrust and trade regulation group in Washington, DC, of which 14 are partners. Their number includes three nominees to *Who's Who*, including Michael L Denger, one of six co-chairs of the firm's global antitrust group, and the only one to be based in Washington. Thomas Hungar rejoined the DC practice group this year, after serving as deputy solicitor general at the DoJ, while David Burns was promoted to partner.

The firm represented Intel in its case against AMD – one of the largest Sherman Act section 2 cases ever filed. The company settled in November 2009.

It also defended Nissan Motors and its affiliates in a series of class actions alleging that major motor vehicle manufacturers increased car prices in the United States by conspiring to restrict the import of lower-priced Canadian vehicles into the United States. The team represented Akzo Nobel in *In re Hydrogen Peroxide Antitrust Litigation* and acted for Chunghwa Picture Tubes in the LCD investigation.

Gibson Dunn also secured dismissal of antitrust counterclaims brought against Aventis by Amphastar.

Hunton & Williams LLP came under new leadership this year, when practice leader and former head of the DoJ's antitrust division, R Hewitt Pate, left the firm to take up the position as vice president and general counsel at energy company Chevron Corporation. Pate says the firm's success stems from its ability to recruit lawyers with recent agency experience. His successor, D Bruce Hoffman, who now heads the antitrust team, has experience at the US Federal Trade Commission. Hoffman is supported in DC by a further five partners, two of counsel and 10 associates.

The competition group continues to advise longstanding client Delta Air Lines, winning unconditional clearance from the US Department of Justice for the takeover of Northwest Airlines following a second request.

The team acts for MasterCard in the payment card interchange fee multi-district litigation. It is also advising Silver Lake Technology Management in a putative class action. The company is accused of bid rigging and market allocation.

Other competition clients include Raytheon, Estes Express Lines and UBS Securities.

The view from **Kirkland & Ellis LLP** is surely one of the best in DC. Their offices on Fifteenth Street offer a panoramic view of the city, and the firm's antitrust practice looks equally good. *Who's Who* nominees Mark L Kovner and Tefft W Smith and senior partner Karen Walker lead the competition group, which handles both transactional and litigation work.

The team is advising The Dow Chemical Company in a series of price-fixing cases alleging a global cartel in the market for synthetic rubber. It is also representing Cisco Systems and all other major manufacturers of cable modems used in US internet connections in an antitrust and IP action pending in federal court in Delaware.

The antitrust group is advising NRG before federal and state regulatory agencies - including the Department of Justice - in Exelon's \$6 billion hostile takeover bid. The tie-up would create the country's largest power provider.

Other clients of the firm include Hershey Company, Constellation Energy Group and Metavante Corporation, whose proposed US\$2.9 billion merger with Fidelity National would create one of the country's largest processing and payment service providers for banks and financial institutions.

At **Latham & Watkins LLP**, co-chair of the antitrust group and *Who's Who* nominee Margaret M Zwisler is one of six partners, three counsel and 31 associates working at the firm's Washington, DC office antitrust practice. Zwisler spends all her time on litigation, while others, including fellow nominee and practice co-head Michael G Egge, handle merger work.

The firm successfully defended Advanced Micro Devices (AMD) and its subsidiary ATI Technologies against charges that it conspired to fix the price of graphics processing units. Latham & Watkins also represents Britax, which faces a class action alleging that the company conspired with rival Babies R Us to inflate prices by barring internet sales.

The team represented Electronic Arts during the Federal Trade Commission's extended review of its proposed hostile takeover of Take-Two Interactive, a video game publisher and developer. It also won summary judgment for Ford Motor Company and its Canadian subsidiary, when they were accused of conspiring to prevent the import of discounted vehicles from Canada to the US.

Other high-profile competition clients include Live Nation, Nuance Communications and Oracle.

Mayer Brown LLP's Washington, DC-based antitrust practice is led by *Who's Who* nominee Robert E Bloch. Fellow nominee and co-head of the group Donald C Klawiter left the firm this year to join the partnership at Sheppard Mullin Richter & Hampton LLP. Bloch is supported by a further 10 antitrust specialists in DC, as well as colleagues in other offices in the US, Europe and Asia.

The antitrust group offers a full service that includes cartel defence and government investigations, M&A, civil litigation and general counselling.

In the US, the firm is counsel to United Air Lines and UAL Corporation, one of the airlines implicated in the alleged air cargo cartel. It also acts for Solvay in a series of government, direct

FIRM	HEAD OF COMPETITION	SIZE	CLIENTS
Elite			
Arnold & Porter LLP	William J Baer	31 eq p, 11 cons, 43a	Talecris, Exmar, Hitachi, Nasdaq, Itochu, General Electric, VISA USA, Nuicor, Bf GlaxoSmithKline, Philip Morris USA
Cleary Gottlieb Steen & Hamilton LLP	George S Cary	7p, 3c, 6sa, 32a	LG Display, Medtronic, Aspen Technology, CitiGroup, GlaxoSmithKline, Arcelor-Mittal, Whirlpool
Hogan & Hartson LLP	Philip C Larson	10p, 9a, 2c	WellPoint, United Health Group, PacificCare, Bolivarian Republic of Venezuela, Reed Elsevier, Nintendo, News Corp
Howrey LLP	Sean FX Boland, Alan M Wiseman	39eq p, 30p, 14sa, 98a, 5 oc, 46 econs	Schering-Plough, YRC Worldwide, Nestlé, Philips Electronics, Intel, Arch Coal, Eaton Corporation, Monsanto, Qualcomm
Jones Day	Phillip A Proger	24p, 1oc, 1c, 25a	Abbott Laboratories, American Greetings, Bayer, CBS, Chevron, Liberty Media, Macy's, Procter & Gamble, SAB Miller
O'Melveny & Myers LLP	Timothy J Muris, Richard G Parker	7p, 6a, 6c, 2oc	Advanced Micro Devices, Capital One Corporation, Disney, Honeywell International, Léon Van Parys NV, Northwest Airlines, Sandisk Corporation, Western Digital Corporation
Weil Gotshal & Manges LLP	Steven A Newborn	8p, 3c, 1cons	Chrysler Canada, Shell Oil Company, Michael Foods, Providence Equity, Exxon Mobil, Johnson & Johnson
Wilmer Cutler Pickering Hale and Dorr LLP	Thomas Mueller	9p, 5c, 6sa, 3a	Verizon, Rambus, Phillips Electronics, Broadcom, Sony, Cephalon, Intel, HSBC, Lufthansa
Highly recommended			
Freshfields Bruckhaus Deringer LLP	Robert Schlossberg	2p, 11a, 2c, 1oc	AmerisourceBergen, BASF, Cengage Learning, Pearson, Continental Airlines, DCP Midstream, Johnson & Johnson, Reuters Corporation
Gibson Dunn & Crutcher LLP	Michael L Denger	14p, 2 stf att, 4a, 1oc, 1prin	Intel, AkzoNobel, Chungwa Picture Tubes, Nissan Motor
Hunton & Williams LLP	D Bruce Hoffman	6p, 2oc, 10a	Delta Air Lines, MasterCard, Silver Lake Technology Management, Raytheon, Estes Express Lines, UBS Securities
Kirkland & Ellis LLP	Mark Kovner, Tefft Smith, Karen Walker	28p, 17a, 2oc	Dow Chemical, Hershey Company, Teva, Constellation Energy Group, Danaher Corporation, NRG Energy, Colgate Palmolive, Sara Lee Corporation, Cisco Systems, Bristol Myers Squibb
Latham & Watkins LLP	Margaret M Zwisler, Michael G Egge	6p, 3c, 31a	AMD, Beckman Coulter, Britax, Electronic Arts, Live Nation, Ford Motor Company, Singapore Airlines, Time Warner Cable, United Components
Mayer Brown LLP	Robert E Bloch	11+ lawyers	United Air Lines, UAL Corporation, Solvay, DTC, Société Générale, Cypress Semiconductor
Skadden Arps Slate Meagher & Flom LLP	Shepard Goldfein (New York)	4p, 2oc, 2c, 4a	Advanced Medical Optics, Air France-KLM, Broadcom, Yahoo, Nokia Siemens, Watson Pharmaceuticals
Recommended			
Covington & Burling LLP	Tom Barnett, Deborah Garza	13p, 3sc, 5oc, 17a*	AstraZeneca, Bank of America, NFL, Boehringer Ingelheim, Merck, Procter & Gamble, Wells Fargo Bank
Crowell & Moring LLP	Randolph Smith, Robert Lipstein, Christopher Ondeck	18p, 17a, 9c	AT&T, Rio Tinto, UnitedHealth Group, Sierra Health Services, SAS Group, Nestlé, Alcoa, Yamaha
Dechert LLP	Paul Denis	5p, 8a	Whole Foods, Kellogs, Morton International, Airgas, RPG Industries, One Equity Partners, FMC Corporation, Dean Foods
McDermott Will & Emery	Raymond Jacobsen	15p, 15a*	Serone, Constellation Brands, Perkin Elmer, IDEXX Laboratories, Silicon Image
Morgan Lewis & Bockius LLP	Scott Stempel	6p, 1sc, 2oc, 1c, 10a	HSBC, Asahi Kasei Pharma, Synergetics USA, Pfizer, Alcon Laboratories, Comdata Networks
Morrison & Foerster LLP	Stephen Smith, David Meyer	6p, 2oc, 12a	Toshiba, Fujitsu, UPS, Dai Nippon Printing, American Airlines
Paul Weiss Rifkind Wharton & Garrison LLP	Joseph Simons	2p	
White & Case LLP	J Mark Gidley	8p, 4c, 16a, 1sp lc	Stolt Nielsen, Ian Norris, EtronTechnology, Novartis, Mobile Mini

Key: p = partner, a = associate, oc = of counsel, c = counsel, cons = consultant, stf att = staff attorney, prin = principal, econ = economists, sc = senior counsel, sp lc = special legal consultant

* = not all lawyers are devoted to full-time antitrust work

purchaser and class action litigations over allegations that Solvay made anti-competitive ‘reverse payments’ to settle patent litigation.

Mayer Brown also represents DTS in antitrust and IP litigation against Zoran, and it is counsel to Société Générale, which is facing collusion allegations. The team also acts for Cypress Semiconductor in a grand jury investigation of alleged price-fixing in the SRAM market.

At **Skadden Arps Slate Meagher and Flom LLP**, *Who’s Who* nominees Steven C Sunshine and John M Nannes work alongside two other partners, two of counsel, two counsel and four associates in DC. The group is closely integrated with the New York and other offices. They are supported by a team that handles Hart-Scott-Rodino filings and second requests.

Originally known as a deal firm, Skadden’s antitrust group historically focused on transactions. But Nannes says the firm has diversified in recent years and includes substantial cartel, private and government litigation, and counselling work. “I would guess that more than 60 per cent of our practice is not deal related,” he says. “The size of our antitrust group has grown substantially in recent years.”

The firm represents Advanced Medical Optics in its US\$2.8 billion takeover by Abbott Laboratories, as well as advising Air France-KLM on its joint venture with Delta Air Lines. Other transactional work includes advising Broadcom on its takeover of Emulex, and CF Industries acquisition of Terra Industries. Skadden also acts for Nokia Siemens, Watson Pharmaceuticals and Yahoo.

RECOMMENDED

At **Covington & Burling LLP**, the antitrust group is chaired by Tom Barnett and Deborah Garza, both recent heads of the DOJ’s antitrust division. Garza also chaired the Antitrust Modernization Commission from 2004 to 2007. They work alongside 11 other partners and are supported by three senior counsel, five of counsel and 17 associates.

The firm represented Bank of America in a putative antitrust class action challenging the interchange fees charged by credit card networks. It also advises the bank in a nationwide class action contesting interchange fees on ATM transactions.

Covington is counsel to Wells Fargo in an antitrust class action alleging price fixing on credit card late fees by a number of financial institutions, and it acts for the NFL in *American Needle v National Football League*. The firm won a summary judgment for the NFL, holding that the clubs are a “single entity”, which is immune from Section One liability under the Sherman Act for the collective licensing of marks and logos for use on sporting goods.

On the transactional front, the firm was co-counsel to Merck when it merged with Schering-Plough. The deal was subject to review by the Federal Trade Commission.

On the behavioural side, it advised companies involved in DoJ investigations in the market for call termination rates, rubber chemicals, chemicals and consumer health products, among others.

At **Crowell & Moring LLP**, partners Randolph Smith and Robert Lipstein co-chair the firm’s antitrust group. They work alongside Christopher Ondeck and 15 other partners in the Washington, DC group.

The team is representing long-standing client AT&T on its \$2.8 billion acquisition of Centennial Communication. It is also acting for Rio Tinto, one of the world’s largest mining companies, on its \$761 million sale of the Jacobs Ranch coal mine to Arch Coal.

This year, Crowell successfully advised UnitedHealth Group and Sierra Health Services, when the American Medical Association and the Services Employees International Union challenged the merger of the health companies.

The firm also advises Via Licensing and the Open Patent Alliance, on the intersection between antitrust and IP law, including standards setting, licensing, and patent pools.

On the cartel front, Crowell represented SAS Group in both the DOJ’s air cargo cartel investigation and the resulting class action civil litigation.

Dechert LLP has won praise from rivals for having a solid – and growing – antitrust practice. The Washington, DC group, led by Paul T Denis, comprises five partners and eight associates. The team handled one of the most high-profile cases of late: Whole Foods’s landmark battle with the Federal Trade Commission over its acquisition of Wild Oats. The deal ultimately remained intact, despite objections from the FTC.

Dechert advised Kellogg’s on its acquisition of the Gardenburger business from Wholesome and Hearty Foods. It was also co-counsel to Rohm and Haas during its \$15 billion acquisition by Dow. Other clients include Morton International, Airgas, RPG Industries and One Equity Partners.

On the litigation front, Dechert advises the FMC Corporation, Dean Foods and Curtis Circulation Company, the country’s largest national distributor of magazines, which was accused of unlawful monopolisation, collusion and price discrimination.

McDermott Will & Emery’s DC office has 15 partners and 15 associates with antitrust experience, though not all of them handle competition work exclusively. Raymond Jacobsen heads the Washington, DC practice. He is nominated in *Who’s Who* alongside partner Joseph F Winterscheid.

The firm won antitrust clearance for Serone when it acquired an exclusive license for the treatment of a condition related to HIV. It also acted for Constellation Brands in obtaining competition approval for its takeover of value spirits business Sazerac and the sale of its Almaden/Inglenook brands to Wine Group.

The competition group won dismissal of antitrust complaint by Analogix Semiconductor, which alleged that Silicon Image had monopolised an alleged market for HDMI solutions – the technology that allows devices such as DVD players to transmit high definition digital and audio data.

Other clients include PerkinElmer and IDEXX Laboratories, whose distribution arrangements in the sale of veterinary diagnostic products, had been challenged in the Ninth Circuit Court of Appeals.

Morgan Lewis & Bockius LLP’s competition practice is now led by Scott Stempel. Former practice leader Willard Tom left the firm to become general counsel at the Federal Trade Commission. The group also made one lateral partner hire this year, when Tom Lang joined the firm. Lang is a former senior litigation counsel for the FTC. The DC antitrust team includes six partners, one senior counsel, two of counsel, one counsel and 10 associates. Various other litigation partners support that team.

The firm is representing Pfizer in its US\$68 billion bid for Wyeth – the largest merger since April 2007 and the fourth-largest pharmaceutical deal on record.

Morgan Lewis also continues to represent HSBC, including on the *In Re Currency Conversion Fee* cases, and it won dismissal of

an antitrust lawsuit against client Alcon Laboratories, which was accused of illegal tying by Synergetics USA.

The competition group is also acting for Asahi Kasei Pharma, which has accused Actelion of violating Californian antitrust law.

Morrison & Foerster LLP's Washington, DC office comprises six partners, two of counsel and 12 associates. Partner Steve Smith co-chairs the competition group alongside David Meyer, who joined the firm as partner this year. Meyer was the principal deputy AAG in the DoJ's antitrust division.

The group divides its time fairly evenly between merger work, civil investigations and cartel work, both before the US antitrust authorities and in private claims.

"We encourage teamwork and sharing across our offices, leveraging our geographic and subject matter expertise," says Smith. "Our cases are staffed in the manner that best addresses each client's needs."

The firm is involved in the *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litigation*, one of the largest antitrust litigations pending in any court. It also continues to act for American Airlines in its alliance with British Airways. The agreement allows them to operate as a single carrier on transatlantic routes.

The competition team handled Toshiba's acquisition of Fujitsu's hard disk drive business. It also represented UPS in the LTL Shipping Services Antitrust Litigation, defending claims that the companies colluded to fix fuel surcharges. The case was dismissed with prejudice this year.

At **White & Case LLP**, *Who's Who* nominee J Mark Gidley stresses the firm's strong international presence, which gives it access to resources across the world and ensures the firm is able to handle the bulk of its work in-house.

White & Case make less distinction than other firms between antitrust lawyers and litigators. All antitrust specialists at the firm have court experience and cannot make partner without it. Gidley says it is important for clients to know that the firm will litigate a case against the antitrust enforcement agencies if needs be, to ensure that they get the best deal possible in dealings with the DoJ or FTC. Indeed, the firm won a landmark victory against the DoJ in the Stolt-Nielsen case, when the judgment ruled amnesty agreements are enforceable and binding in court.

The firm is advising Toshiba in international cartel proceedings in the market for LCD and CRT screens, and it is defending Par/Paddock against allegations that it used anti-competitive 'reverse payments' to settle pharmaceutical patent litigation.

The competition team acts for Ian Norris, the first foreign national to face extradition to the United States, firstly for antitrust violations and then on the grounds of obstruction of justice. It also advised Etron Technology, one of the companies implicated in the DoJ's cartel investigation of the SRAM market.

On the M&A front, White & Case is advising Novartis on its US\$39 billion acquisition of a stake in Alcon, and it represented Mobile Mini when the company merged with rival Mobile Storage Group.