

Marguerite S. Willis

MEMBER

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Practices

Antitrust Litigation
Antitrust Counseling and
Government Investigations
Class Actions
Antitrust & Unfair Competition
Litigation
Business Disputes
Product Liability

Industries

Life Sciences
Agribusiness
Energy
Health Care
Manufacturing
Real Estate
Retail
Technology
Transportation
Pharmaceuticals

Corporations large and small count on Marguerite Willis to handle the most complex matters with confidence. Her motto, “If it’s easy, you don’t need me,” rings true for the cases Marguerite takes on. With a laser-focus on tough, multi-party matters, she is trusted to bring a different kind of litigation to the table. She leads her team to be meticulously prepared, knowing that her clients are counting on her to be the difference-maker.

This preparation and diligence have been the core of her legal practice since the beginning when she became the first female law clerk ever hired by a Federal Circuit Court Judge, the first female associate ever hired at a Charlotte firm and the first woman partner at a major antitrust firm.

In the courtroom, Marguerite has established a reputation for delivering highly effective and highly successful litigation strategies. She has carefully crafted a premium commercial litigation and antitrust practice working with some of the largest companies in the world. Marguerite has been at the helm of some of the firm’s biggest verdicts and has served as national counsel for a number of cases, including federal and state class actions. She has prosecuted major antitrust matters, as well as cases involving unfair trade practices, false advertising and vicarious corporate liability. Marguerite’s reputation precedes her, with a broad depth of experience in matters governing competition, pricing, distribution agreements, marketing programs, competitor collaboration, joint ventures, mergers and acquisitions, and intellectual property.

Education

- Stetson University, J.D., cum laude
- University of Michigan, B.A., High Distinction

Admissions

- South Carolina
- North Carolina
- District of Columbia
- Florida
- US Supreme Court
- US Court of Appeals - 4th Circuit
- US Court of Appeals for the Federal Circuit
- USDC - SC
- USDC - Northern District of Georgia
- USDC - Hawaii
- US Court of Appeals - 11th Circuit
- USDC - Western, Middle and Eastern Districts of North Carolina
- USDC - Middle District of Florida
- USDC - Northern District of Florida
- USDC - Southern District of Florida

While her accomplishments for legal clients and law firms are noteworthy and extensive, Marguerite's zeal is not limited to the confines of courts and conference rooms. She is a political leader, an advocate for women, and all-around powerbroker.

Experience

- Ms. Willis began her legal career working on the massive antitrust cases known collectively as "The Uranium Cartel Litigation." She litigated private antitrust cases in Illinois, New Mexico and North Carolina and worked as well on the related federal grand jury investigation in the District of Columbia. These cases all alleged horizontal price-fixing under Section 1 of the Sherman Act.
- Ms. Willis defended numerous witnesses in federal grand jury proceedings investigating alleged horizontal price fixing under Section 1 of the Sherman Act in Puerto Rico.
- *Dunlop Sports Co. v. Wilson Sporting Goods Co.* In the early to mid-1980s, Ms. Willis defended a major antitrust case in federal court in Chicago, Illinois. This case, which alleged a violation of Section 2 of the Sherman Act by attempting to monopolize through predatory pricing, involved the production of millions of documents and the depositions of over 100 individuals, both in the United States and abroad.
- *Mead Data Central v. West Publishing Company.* Ms. Willis prosecuted a major antitrust case alleging violations of Section 2 of the Sherman Act (monopolization, attempted monopolization through control of an essential facility), as well as violations of the Robinson-Patman Act.
- 1990-1995. Ms. Willis served as national counsel for a Fortune 100 company in its asbestos property damage litigation. In this capacity, Ms. Willis coordinated the defense of four national class actions, as well as numerous other lawsuits across the country.
- 1994-2001. Ms. Willis served as national counsel for a major pharmaceutical company in over 4,000 cases, including federal and state class actions, involving claims of price-fixing and price discrimination under federal and state law. The federal cases, which involved both retail drug stores and consumers as plaintiffs, were consolidated in Chicago, Illinois as MDL 997, *In re Brand Name Prescription Drugs Antitrust Litigation*. State court cases included proceedings in Alabama, California, Colorado, the District of Columbia, Florida, Kansas, Maine, Michigan, Minnesota, Mississippi, New York, North Carolina, Tennessee, Washington, and Wisconsin.

- 1998-2001. Ms. Willis served as national counsel for a billboard company in a case alleging monopolization under Section 2 of the Sherman Act.
- 1999-2000. Ms. Willis served as national counsel for a major options exchange in governmental investigations and parallel federal class action lawsuits involving claims of violations of the antitrust and securities laws. The federal lawsuits were consolidated for pretrial proceedings in New York as *In re Stock Exchanges Options Trading Antitrust Litigation*.
- Since joining Nexsen Pruet in the spring of 2000, Ms. Willis has represented defendants in state court class action lawsuits, and served as lead counsel in a federal antitrust class action alleging the price-fixing of pulpwood timber.
- Ms. Willis prosecuted multiple opt-out antitrust actions in MDL 1516 (*In re Polyester Staple Fiber Antitrust Litigation*) for damages caused by price-fixing and customer allocation of polyester staple fiber, and in *Arrowpac Inc., et.al. v. Sea Star Line, LLC, et. al.* for damages caused by price fixing in ocean shipping industry
- Ms. Willis led the defense of Southeastern Freight Lines in an antitrust class action for alleged price fixing of fuel surcharges in MDL 1895 (*In re LTL Shipping Services Antitrust Litigation*).
- Ms. Willis was also lead attorney for Bristow Oil Company in a four-week trial against ExxonMobil in 2008 in state court in Darlington, SC.
- Ms. Willis is currently representing Southern Farm Bureau in two putative class actions under Fair Labor Standards Act pending in federal court in South Carolina.

Recognitions

- Senior Litigation Counsel of America - President 2018; Member, Advisory Board, 2014-2015; The Academy of Antitrust Law - Founding Member, 2011; Fellow, 2009
- Awarded, *Florence's Community Times Magazine* 2019 Women of Excellence Award
- Awarded, *South Carolina Women Lawyers Association's* Jean Galloway Bissell Award, 2018
- *Columbia Business Monthly's* Legal Elite of the Midlands, 2018- 2019
- *Greenville Business Magazine's* Legal Elite of the Upstate, 2018 - 2019
- Recognized by *Chambers USA*, Litigation: General Commercial, South Carolina 2018-2020
- Included in the South Carolina *Super Lawyers* list in the areas of Antitrust Litigation, Class Action/Mass Torts and Business Litigation 2011-2018
- Listed in *Best Lawyers in America* for Commercial Litigation since 2016
- "2016 Legal Elite of the Midlands" - Top Attorney Vote for Anti-Trust Law

Community & Professional

- Women's Rights & Empowerment Network - Leadership Council
- American Bar Foundation - Fellow
- Federal Bar Association - Member

- American Bar Association – Section of Antitrust Law
- South Carolina Women Lawyers Association - Past President; Board Member
- Women's Bar Association of the District of Columbia - Past President
- Florida Bar Association - Former Out-of-State Governor
- Columbia College Board of Trustees - Former Board Member
- Eastern Carolina Community Foundation - Former Board Member
- South Carolina Chamber of Commerce - Former Director

Writing

Author, Women and the Wage Gap, SC NOW Morning News, May 2019

Participant, "Grit, the Secret to Advancement, Stories of Successful Women Lawyers," ABA, Commission on Women in the Profession, 2017

David Eddy, Travis Wheeler, Dennis Lynch, and Marguerite Willis "*Should Major Customers Opt-out of or Exclude Themselves from Antitrust Class Actions*", ASSOC. OF CORP. COUNSEL: S.C. CHAPTER (Newsletter Mar. 2017)

Author, Monthly President's Letter, South Carolina Women Lawyers Association, 2015:
January, February, March, April, May, June, July, Special Message re: Charleston Tragedy, August, September, Letter to Gov. Haley re: SCWLA Day of Service, October, November, December, Final Message

Interviewed for DRI Women in the Law book, "Women Rainmakers: Roadmap to Success," November 2014.

Marion Crane, Benjamin Porter, and Robert Taylor, Plaintiffs, v. International Paper Company and CWC of North Carolina, Inc., Defendants

"Antitrust Damages Under South Carolina Antitrust Statute"

Speaking

"Why Antitrust," American Bar Association Panel at the University of South Carolina, January 24, 2019

"The Unexpected," Litigation Counsel of America's Renaissance Symposium, November 2018

"Diversity in Leadership: The Profitability of Diversity," Litigation Counsel of America's Fall Conference, October 26, 2018

"Campaigning in Today's Environment," South Carolina Women Lawyers Association Annual Conference, October 19, 2018

"Your 'Guy' Did it Wrong: Countering the Plaintiff's Financial Damages," Litigation Counsel of America, October 20, 2017

"Thrival," TEDxEvansStreet, Florence, SC, September 21, 2017

"What's in Your Pocketbook?" South Carolina Women Lawyers Association, June 1, 2017; USC Women's Leadership Institute, April 27, 2017

"So, What Now? - Tips from a Career in Antitrust," 64th Antitrust Law Spring Meeting, April 2016

"Put a Lid on it: Controlling Damages at Trial," DRI Women in Law Seminar, February 18, 2016

"Health Care Antitrust Cases to Watch in 2015"

SC Bar - May 1, 2015

"Glass Slippers, Glass Ceilings"

Litigation Counsel of America National Conference - April 16, 2015

"Niche Marketing: Why, How To, and Now What?"

ABA Women Rainmakers Spring 2013 Program: April 24, 2013

"The Trial of a Class Action Antitrust Case with a Jury"

14th Annual Sedona Conference on Antitrust Law and Litigation, Del Mar, California, Chaired Panel - October 25-26, 2012

"Secrets of Successful Rainmakers"

DRI Sharing Success – A Seminar for Women Lawyers; Moderator – February, 2011

"Understanding E-Discovery: Is There an App for That?"

DRI Sharing Success – A Seminar for Women Lawyers - February, 2011

"Sayings"

Pee Dee Women in Philanthropy, Floyd Conference Center, Florence, SC on September 23, 2010

"Seeing, Believing, and Achieving"

Carolinas Hospital System - September 8, 2010

"Pre-Suit Document Preservation and Compliance in the Electronic Age: Avoiding the Pitfalls"

Litigation Counsel of America 2010 Spring Conference, Monterey, California - May 6, 2010

"Antitrust Damages Under South Carolina Law"

SC Bar CLE: Beyond the Elements II: South Carolina Damages from A to Z, September 25, 2009

"What's in Your Pocketbook?"

The Alliance for Women: Food for Thought Series, March 3, 2009

Tribute to Women and Industry

Floyd Conference Center, Florence, SC, September 14, 2009

South Carolina Women Lawyers Association

August 6, 2009

Releasing Your Leadership Potential, Update

Furman University, Greenville, SC, April 3, 2006

Class Action Practice—2006

February 2, 2006

Everything You Wanted to Know about Antitrust Laws and Managed Care, Part II

October 6, 2005

Releasing Your Leadership Potential

Furman University, Greenville, SC, April 11, 2005

Nelson Symposium, Antitrust and The Outdoor Advertising Industry

Gainesville, FL, February 11, 2005

Everything You Wanted to Know about Antitrust Laws and Managed Care

October 1, 2004

South Carolina Bar CLE: Beyond the Elements: South Carolina Damages from A to Z

May 21, 2004

Antitrust Update, In-House Counsel Ethics Seminar

Columbia, SC, October 25, 2002

A “Do It Yourself” Guide to Class Action Practice

ABA Forum on the Construction Industry / 2002 Annual Meeting, Minneapolis, MN, October 4-5, 2002

State Law Preemption: A Case Study... In Progress

Outdoor Advertising Association of America, Inc., 2002 Legal Seminar, Washington, DC, September 23, 2002

Bid-Rigging . . . A “Refresher” Course

Carolinas Associated General Contractors Highway – Heavy Division, Annual Meeting, Hilton Head, SC, June 20-23, 2002

News

10.26.2020 | Media Mention

Marguerite Willis Recognized in "Who's Who Women in South Carolina 2020"

02.06.2020 | News from Nexsen Pruet

Marguerite Willis Selected for Midlands Diversity Leaders Initiative

06.18.2019 | Event

Marguerite S. Willis hosts former U.S. Attorney General Eric Holder during his recent trip to South Carolina