

Antitrust Counseling and Government Investigations

Professionals

Travis C. Wheeler

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Business and Transaction Guidance

Our antitrust attorneys work with clients to develop solutions to achieve their business objectives and to avoid the risks of antitrust exposure. Team attorneys counsel clients regarding federal and state antitrust, trade regulation, and unfair competition laws governing all facets of business competition, including pricing policies and decisions, distribution agreements, marketing programs, competitor collaboration, joint ventures, mergers and acquisitions, advertising, and trade associations.

Nexsen Pruet's antitrust attorneys frequently assist clients in managing and crafting transactions to comply with the antitrust laws. For example, we routinely counsel clients regarding organizing and managing their distribution channels, including minimum advertised price policies; resale price maintenance policies; as well as relations with and among manufacturers, distributors, and retailers.

Compliance Policies and Seminars

Our attorneys regularly conduct antitrust compliance seminars and prepare or update antitrust compliance policies and procedures for our corporate clients. These training sessions and compliance policies are designed to help our clients avoid the risks (and severe consequences) of violating the antitrust laws.

Government Investigations

Our lawyers have represented clients before the Federal Trade Commission and the Antitrust Division of the Department of Justice. We also represent clients in negotiation with and litigation against state antitrust enforcers. In particular, our Group has experience in handling state unfair competition claims brought by state attorneys general. Over the years, the matters have included:

- Department of Justice investigations into price-fixing allegations.
- Federal trade Commission investigations into alleged price fixing, resale price maintenance, and group boycotts.
- The multi-billion dollar merger of the two U.S. commercial jet manufacturers.
- A multi-billion dollar joint venture combining the downstream refining, pipeline, and marketing assets of two major integrated oil companies.

Healthcare

We represent health industry clients in all aspects of antitrust counseling and compliance, including clinical integration, federal and state antitrust investigations, the Hart-Scott-Rodino merger approval process, joint-ventures, and antitrust litigation. Our attorneys have defended clients in federal and state investigations and in litigation arising under federal and state antitrust laws. We represent nearly every sector of the health care industry – hospitals and health systems, physician groups, health plans, managed care companies, pharmaceutical and biotech companies, medical supply distributors, and hospital associations.

Insights

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Employers are Subject to Criminal Antitrust Charges for Wage-Fixing and No-Poaching Agreements