



Daniel Matheson

Partner | Washington, DC

Practice Areas

Antitrust

Contact

T: 202.292.1799

dmatheson@axinn.com

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Daniel Matheson is an antitrust partner based in the firm's Washington, DC office. He is a first-chair antitrust trial lawyer with extensive experience trying high-stakes matters across the country, including merger challenges as well as claims of monopolization or anticompetitive collusion. Dan served as lead counsel in multiple matters tried to verdict, including the Federal Trade Commission's (FTC) landmark litigation against Meta Platforms challenging the acquisitions of Instagram and WhatsApp.

Dan spent the past decade at the FTC's Bureau of Competition, where he played a central role in the agency's most significant enforcement actions. As Chief Trial Counsel, he supervised or participated in all litigations conducted by the FTC's Litigation Group and advised leadership on case strategy and enforcement priorities. During his tenure at the FTC, Dan tried major merger and conduct cases across a wide range of industries, including technology, healthcare, pharmaceuticals, energy, and retail. He has particular expertise in matters involving the intersection of antitrust and intellectual property.

Before entering government service, Dan spent more than ten years in private practice at leading law firms, representing clients in complex antitrust litigation, merger clearance matters, and civil and criminal antitrust investigations.

Dan received his JD, Order of the Coif, from the University of Michigan Law School and his BA, *summa cum laude*, from Case Western Reserve University.

Experience

Government

- Lead trial counsel in high-profile monopolization litigation challenging Meta's acquisitions of Instagram and WhatsApp. (*FTC v. Meta Platforms (f/k/a Facebook)*)
- Lead trial counsel in litigation blocking the combination of the two largest coal mines in the United States. (*FTC v. Peabody Energy Corp. and Arch Coal, Inc.*)
- Lead trial counsel in administrative litigation involving alleged misuses of intellectual property rights. (*FTC v. 1-800 Contacts*)
- Trial counsel in litigation blocking the \$24 billion merger of grocery retailers. (*FTC v. Kroger & Albertsons*)
- Trial counsel in high-profile monopolization litigation challenging a semiconductor manufacturer's licensing practices. (*FTC v. Qualcomm*)
- Trial counsel in litigation blocking a merger between competing hospital systems. (*FTC v. Advocate Health Care Network, et. al.*)
- Lead counsel in litigation alleging failure to comply with the HSR Act, resulting in settlement and payment of a civil penalty. (*United States v. Canon and Toshiba*)
- Litigated multiple matters resolved through successful pre-trial settlements, including a pharmaceutical merger (*FTC v. Amgen Inc., et. al.*), a challenge to monopolization in the e-prescription and routing markets (*FTC v. Surescripts*), and horizontal restraints purportedly involving the state action doctrine. (*In re: Louisiana Real Estate Appraisers Board*)
- Trial counsel in litigation challenging a chemical industry merger. (*FTC v. RAG-Stiftung, et. al.*)
- Counsel in litigation involving state action exemption to HSR Act, resolved on summary judgment. (*FTC v. Louisiana Children's Medical Ctr., et. al.*)

Private Practice

- Represented the defendant in federal court litigation alleging patent pooling agreement violated antitrust laws.
- Represented the defendant in government investigation and ensuing litigation alleging pharmaceutical manufacturer's intellectual property settlements violated the antitrust laws.
- Represented the defendant in federal court litigation alleging a semiconductor manufacturer's distribution practices violated antitrust laws.

- Represented the plaintiff in litigation alleging that a dominant insurance provider's most-favored-nation contracts with hospitals unlawfully maintained monopoly power.
- Represented the plaintiff in litigation alleging price-fixing of carbon fiber products.
- Represented the respondent in a criminal investigation into alleged price-fixing of computer components, successfully persuaded the Department of Justice not to prosecute.
- Represented the leniency applicant in a criminal investigation of collusion involving financial products.
- Represented health care providers in a criminal investigation into alleged price-fixing.
- Represented a semiconductor manufacturer in a foreign antitrust agency's investigation involving distribution practices.
- Represented a defendant in a class action alleging price-fixing in the automotive filters industry.
- Represented a defendant in a class action alleging information sharing depressed wages.
- Represented a defendant in a class action alleging a market allocation agreement.
- Represented both acquiring and acquired parties in multiple Second Requests and successfully negotiated remedies to avoid litigation, including on behalf of the acquiring party in a grocery store chain combination, the acquired party in a generic pharmaceuticals acquisition, and the acquiring party in an acquisition of telecommunications assets.
- Lead trial counsel representing the defendant in litigation alleging breach of contract for employment services; prevailed at trial with no damages awarded.
- Lead trial counsel in pro bono matter seeking to achieve a contested adoption; prevailed at trial following a five-day evidentiary hearing.

Honors

- Louis D. Brandeis Award, FTC Outstanding Litigator
- Multiple Janet D. Steiger Awards for outstanding contributions to FTC litigation teams

Education

- JD, Order of the Coif – University of Michigan Law School
- BA, *summa cum laude* – Case Western Reserve University

Admissions

- District of Columbia
- New York
- United States District Court for the District of Columbia
- United States District Court for the Northern District of Illinois
- United States District Court for the Eastern District of Michigan
- United States Court of Appeals for the Ninth Circuit

Quotes

“Top to bottom, the Axinn team has excellent lawyers.”

— *The Legal 500 United States*

“The Axinn team is responsive, business-focused, and practical in their advice.”

— *Chambers USA*