



## John D. Harkrider

Partner

New York

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### SPOTLIGHT

GCR Lawyer of the Year

GCR Law Firm of the Year (Americas)

GCR Matter of the Year

GCR Merger Control Matter of the Year

*Who's Who Legal* says: "John Harkrider is one of the USA's most prominent antitrust litigators, with an unrivalled corporate practice as well as deep expertise in litigation and agency investigations."

The "brilliant" John Harkrider is a "powerhouse" and "gifted advocate"  
– *Chambers USA* 2014

A "really terrific lawyer" who is a "very smart, excellent writer"  
– *Chambers USA* 2013

Named "Litigator of the Week" by *The American Lawyer* – January 2013

"an extremely intelligent attorney with formidable understanding of business and finance"  
– *Chambers USA* 2010

"incredibly bright mind and intellectual capacity"  
– *Chambers USA* 2008

"has the best understanding of not only how to build a case but also how to break it"  
– *Chambers USA* 2007

### PROFILE

### REPRESENTATIVE EXPERIENCE

#### Transactional

- VMware's proposed \$61 billion acquisition by Broadcom
- Dell's \$67 billion acquisition of EMC
- Thermo Fisher Scientific's \$13.6 billion acquisition of Life Technologies
- Google's \$12.5 billion acquisition of Motorola Mobility
- Google's \$700 million acquisition of ITA
- Ball Corporation's \$6.85 billion acquisition of Rexam PLC

#### Sherman Act Litigation

- Omnicare with respect to its Section One conspiracy claims against United Health in both the Northern District of Illinois and the Seventh Circuit
- United Technologies Corporation in connection with Walker Process and Handgards claims in the Northern District of Illinois and District of Maryland
- Stanley Black & Decker with respect to Section One conspiracy claims in the Eastern District of Virginia and Fourth Circuit

#### Investigations

- Google Section 2 investigation before agencies throughout the world

## PRACTICE AREAS

Antitrust

## EDUCATION

PhD Program – University of Michigan  
(did not complete dissertation)

JD, cum laude – University of  
California, Hastings College of the Law  
(1991) Order of the Coif

BA, with highest Honors – University of  
Michigan (1988)

## ADMISSIONS

District of Columbia

New York

U.S. Court of Appeals for the Second  
Circuit

U.S. Court of Appeals for the Fourth  
Circuit

U.S. Court of Appeals for the Sixth  
Circuit

U.S. Court of Appeals for the Seventh  
Circuit

U.S. District Court Southern District of  
New York

Judicial Panel on Multidistrict Litigation

- Google with respect to its Standard Essential Patents decree with FTC
- Stanley Works with respect to Made in USA markings

## FTC and DOJ Merger Challenges

- Tyson Foods and George's in DOJ merger challenge in the Western District of Virginia
- SunGard in DOJ merger challenge to acquisition of Comdisco in D.C. District Court
- U.S. DOJ in challenge to WorldCom's \$129 billion acquisition of Sprint

## PROFESSIONAL ACTIVITIES

- Editorial Board, ANTITRUST (2007–present)
- American Bar Association, Vice-Chair, Economics Committee, Section of Antitrust Law (2003–2006)
- New York State Bar Association
- New York City Bar Association

## EXPERIENCE

### Transactional

- VMware's proposed \$61 billion acquisition by Broadcom
- Dell's \$67 billion acquisition of EMC
- Thermo Fisher Scientific's \$13.6 billion acquisition of Life Technologies
- Google's \$12.5 billion acquisition of Motorola Mobility
- Google's \$700 million acquisition of ITA
- Ball Corporation's \$6.85 billion acquisition of Rexam PLC
- Thermo Fisher \$2.1 billion acquisition of Dionex
- SunGard Higher Education's \$1.77 billion sale of SunGard Higher Education to Datatel

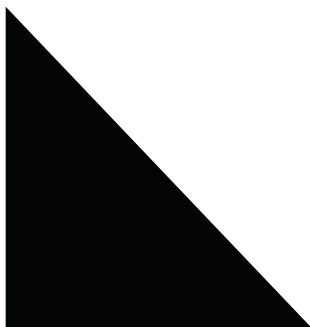
- SunGard's \$700 million acquisition of Comdisco's disaster recovery assets
- XLHealth's \$2.2 billion sale to UnitedHealth
- Bemis Company's \$1.2 billion acquisition of the Food Americas' assets of Alcan
- Ball Corporation's \$577 million acquisition of MCC assets from InBev
- Cingular's \$41 billion acquisition of AT&T Wireless
- BellSouth's \$67 billion acquisition by AT&T
- Omnicare in its hostile takeover of both Pharmerica and NeighborCare
- Harcourt General with respect to its U.S. \$4.5 billion sale to Reed Elsevier and Thompson
- MasterCard's Board of Directors with respect to their IPO

#### **FTC and DOJ Merger Challenges**

- Tyson Foods and George's in DOJ merger challenge in the Western District of Virginia
- Omnicare in FTC Part III challenge to its acquisition of Pharmerica
- SunGard in DOJ merger challenge to acquisition of Comdisco in D.C. District Court
- U.S. DOJ in challenge to WorldCom's \$129 billion acquisition of Sprint

#### **Private Merger Challenges**

- Matlin Paterson in private litigation to prevent hostile acquisition of Vantico by Apollo
- Stanley in private litigation to prevent hostile takeover by Newell



## Sherman Act Litigation

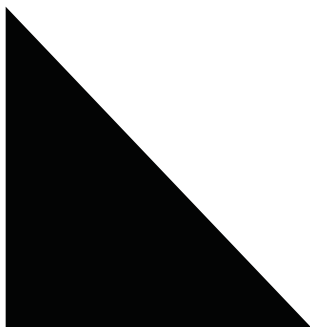
- Omnicare with respect to its Section One conspiracy claims against United Health in both the Northern District of Illinois and the Seventh Circuit
- United Technologies Corporation in connection with Walker Process and Handgards claims in the Northern District of Illinois and District of Maryland
- Bar/Bri with respect to Section Two monopolization claims in the Ninth and Tenth Circuit
- Stanley Black & Decker with respect to Section One conspiracy claims in the Eastern District of Virginia and Fourth Circuit
- Iowa Beef (now Tysons) with respect to claims under the Packers and Stockyards Act in the Middle District of Alabama

## Investigations

- Google Section 2 investigation before agencies throughout the world
- Google with respect to its Standard Essential Patents decree with FTC
- Stanley Works with respect to Made in USA markings

## HONORS

- *Chambers USA* – Band 1 (Global, Nationwide and New York City)
- Axinn won *Global Competition Review* "Law Firm of the Year" (Americas) (2021 and 2016)
- Winner of *Global Competition Review* "Matter of the Year" (2013)
- Named "Litigator of the Week" by *The American Lawyer* (January 13, 2013)
- Winner of *Global Competition Review* "Lawyer of the Year" (2012)
- *The Legal 500 United States* (2022 – 2023)
- Winner of "Merger Control Matter of the Year" (2012)
- Comp360 MVP (2012)



- Antitrust Writing Award sponsored by the Institute of Competition Law (2014)
- *Lawdragon*, 500 Leading Dealmakers in America (2024)
- *Lawdragon*, 500 Leading Litigators in America (2023-2024)
- *Best Lawyers* in America (2017 – 2024)
- *Who's Who Legal: Thought Leaders – Competition* (2024)
- *Who's Who Legal: Thought Leaders – Global Elite* (2023)
- *Who's Who Legal: Competition* (2019 – 2023)

