



Peter C. Herrick

Partner

New York

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PRACTICE AREAS

Antitrust

EDUCATION

JD, with Honors – Rutgers University School of Law (2004)

M.Ed. – Rutgers Graduate School of Education (1998)

BA, Political Science and History – Rutgers College (1993)

ADMISSIONS

New York

District of Columbia

US District & Bankruptcy Courts for the District of Columbia

US District Court for the Eastern District of New York

US District Court of the Southern District of New York

PROFILE

Peter Herrick has represented clients in the most complex and challenging transactions and antitrust litigation for nearly 20 years. He has tried six merger litigations to final decisions, both for and against the government, including groundbreaking cases on behalf of the FTC. In addition to representing clients on mergers and acquisitions before the FTC, DOJ, and other antitrust regulators, Peter leads high stakes antitrust litigation for clients in federal court, examining witnesses at trial, arguing summary judgment and other critical motions, and taking dozens of fact and expert witness depositions. Clients trust Peter's strategic approach to both transactions and disputes, value his clear judgment, and depend on his credibility both in court and before the antitrust agencies.

Prior to returning to private practice, Peter was Senior Trial Counsel in the Bureau of Competition at the FTC. In that role, Peter co-led the FTC's 18-day trial and victory in *FTC et al. v. St. Luke's Health System, Inc. et al.*, the FTC's first successful litigated merger challenge of a hospital system's acquisition of a physician group. While in the FTC's Mergers IV Division, he was a key trial team member in the FTC's successful merger challenges in *FTC v. Phoebe Putney Health System* and *FTC v. OSF Health System*.

Additionally, Peter acted as a lead staff attorney in FTC merger investigations, across a range of industries, including Visant Corp./ American Achievement Corp., Capella Healthcare/St. Joseph's Mercy Health System, Geisinger Health System/Community Medical Center, Community Health System, Inc./Moses Taylor Health Care System, and Grifols, S.A./Talecris Biotherapeutics Holdings Corp.

Peter also speaks and writes frequently on antitrust issues, including recently at conferences for the American Health Lawyers' Association and the New York State Bar Association, and in publications for the American Bar Association and Competition Policy International.

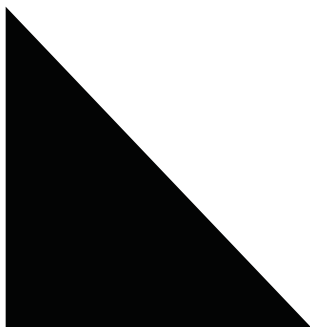
CLERKSHIPS

- Law Clerk to Justice Barry T. Albin of the Supreme Court of New Jersey (2004-2005)

EXPERIENCE

Private Practice

- Representing Alvogen in its antitrust counterclaims against Indivior relating to Alvogen's launch of a generic equivalent to Suboxone® sublingual film
- Represented Holy Name Medical Center and The Valley Hospital in the FTC's investigation and court challenge of Hackensack Meridian Health's proposed acquisition of Englewood Healthcare
- Counseled and represented Centerbridge Partners and KIK Custom Products in the DOJ review and clearance of the sale of KIK Personal Care to its competitor, Voyant Beauty, a portfolio company of Wind Point Partners
- Counseled and represented Sagard Holdings, Fairfax Financial Holdings, and Peak Achievement Athletics in the DOJ review and clearance of the acquisition of Easton Diamond Sports by Rawlings Sporting Goods
- Counseled and represented Stone Point Capital and Mitchell | Genex in DOJ review and clearance of the acquisition of Coventry's Workers' Comp Services
- Acted as second chair on behalf of U.S. Foods in an 8-day preliminary injunction hearing against the FTC concerning its proposed \$8.2 billion merger with Sysco Corp.
- Counseled and represented KKR in its \$9.9 billion acquisition of Envision Healthcare
- Advised HCA Healthcare in its proposed \$1.5 billion acquisition of Mission Health
- Counseled L3 Technologies in the \$540 million sale of its Vertex Aerospace business to American Industrial Partners



- Represented KKR and Internet Brands in Internet Brands' acquisition of Avvo, Inc.
- Represented Office Depot in FTC review and litigated challenge to its proposed \$6.3 billion merger with Staples, Inc.
- Represented JBS U.S.A. in DOJ review and clearance of its \$1.45 billion acquisition of Cargill's U.S.-based pork business
- Represented and counseled Silicon Precision Industries Co., Ltd. in FTC review and clearance of its proposed joint share exchange with Advanced Semiconductor Engineering, Inc.
- Represented and advised Hamburg Südamerikanische Dampfschiffahrts-Gesellschaft KG (HSDG) in DOJ review and clearance of its \$4 billion acquisition by Maersk Line A/S
- Represented Avantor, Inc. in European Commission review and approval of its \$6.5 billion acquisition of VWR Corporation
- Represented a multinational firm in DOJ cartel investigation
- Represented Maple Leaf Foods in FTC review and approval of its acquisition of Field Roast Grain Meat Co.
- Represented HCA Healthcare in its response to DOJ subpoenas for testimony and documents in *United States v. Anthem Inc. et al.*

FTC

- Second chair for the FTC in its 18-day trial and victory in *FTC et al. v. St. Luke's Health System, Inc. et al.*
- Key trial team member in the FTC's successful merger challenges in *FTC v. Phoebe Putney Health System* and *FTC v. OSF Health System*
- Lead staff attorney on a variety of FTC merger investigations, including Visant Corp./American Achievement Corp., Capella Healthcare/St. Joseph's Mercy Health System, Geisinger Health System/Community Medical Center, Community Health System, Inc./Moses Taylor Health Care System, and Grifols, S.A./Talecris Biotherapeutics Holdings Corp.

* Includes matters handled prior to joining Axinn

