

Axinn Advises VMware in Securing Global Antitrust Clearance for \$69 Billion Acquisition by Broadcom

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PRACTICE AREAS

Antitrust

Broadcom Inc., a global technology leader in semiconductor, data center hardware, and infrastructure software solutions, announced today that it had closed its \$69 billion acquisition of VMware, Inc., a leading virtualization software provider. As global lead antitrust counsel to VMware in what *The Wall Street Journal* has called “one of the largest technology mergers ever,” Axinn, Veltrop & Harkrider LLP helped VMware secure global regulatory clearances in more than 10 jurisdictions to clear the way for the closing of the transaction.

“Axinn congratulates VMware on this significant milestone in its storied history,” said lead Axinn partner John Harkrider. “We are deeply appreciative of the global regulators’ careful and principled review of the complex issues raised by this transaction, and grateful for the close partnership with the fantastic in-house legal team at VMware, our global co-counsel at Gibson Dunn, and Broadcom’s global regulatory counsel at Cleary Gottlieb.”

Axinn has acted as global lead antitrust counsel to VMware throughout the 18-month regulatory review process, securing clearances from competition agencies around the world. In collaboration with global co-counsel at Gibson Dunn, Axinn led VMware through an in-depth Second Request review by the Federal Trade Commission in the United States; helped guide VMware to Phase II conditional clearance from the European Commission, Phase 2 unconditional clearance from the UK Competition and Markets Authority, and conditional clearance from the Korea Fair Trade Commission; and helped VMware secure unconditional clearances in Australia, Brazil, Canada, Israel, Japan, South Africa, and Taiwan. Most recently, Axinn helped VMware achieve Phase III conditional clearance from China’s State Administration for Market Regulation.

The Axinn team was led by partners John Harkrider, Lisl Dunlop, and Craig Minerva and counsel James Hunsberger, and included associates Kevin Adams, Laviana Alharmoosh, Mario Cistaro, Conner Dwinell, Aigerim Saudabayeva, Kyle Sherwood, Zachary Stross, Yifei Xu, and Heather Zuckert, and eDiscovery manager Jason Rylander.

The Gibson Dunn regulatory team was led by Kristen Limarzi, Sophia Hansell, Ali Nikpay, Attila Borsos, Nick Banasevic, Sébastien Evrard, and Deirdre Taylor, and included counsel Andrew Cline and associates Claire Shepherd, Chris Kopp, Harry Phillips, Alex Merritt, Hayley Smith, Jan Przerwa, Katie Cheung, Jonas Jousma, Zuzanna Bobowiec, Logan Billman, Connor Leydecker, Kareem Ramadan, Molly Heslop, and Peter Chau.

The Axinn team would like to thank Broadcom's global regulatory counsel Cleary Gottlieb, and in particular, George Cary, Daniel Culley, Francisco Enrique González-Díaz, Jackie Holland, Paul Gilbert, Cunzhen Huang, Isabel Rooms, Anita Magraner Oliver, Romi Lepetska, Andris Risma, Matt Bachrack, Will Segal, Garrett Shinn, Hani Bashour, Lanto Sheridan, Yiming Sun, Joaquina Diaz-Corona, and Matt Rosenthal.

Finally, the Axinn team would like to thank the in-house legal team at VMware for their extraordinary efforts and contributions over the last 18 months, and in particular Amy Fliegelman Olli, EVP and General Counsel, and the entire in-house legal team, including, among others, Matt Marquis, Craig Norris, Laurie Hane, Brooks Beard, Aine Lyons, Cindy Yang, Elinora Mantovani, Scott Kammlade, Ali Emadi, Timothy Evans, Mysha Lubke, and Teresa Healy.

