



Neil Ray

Associate

San Diego/Downtown
501 West Broadway
19th Floor
San Diego, CA 92101

Tel: 619.338.6595

Fax: 619.515.4117

nray@sheppardmullin.com

PRACTICE AREAS

- International Business
- Antitrust and Trade Regulation
- Communications
- Litigation

OVERVIEW

Neil Ray is dual qualified as an English solicitor and a California attorney in both the Antitrust and Trade Regulation and Communications Practice Groups of Sheppard Mullin's San Diego office.

Areas of Practice

Antitrust

Mr. Ray practices in the area of international antitrust and trade regulation, and specializes in European competition and communications matters (see below). Prior to joining Sheppard Mullin, Mr. Ray worked in the London office of one of the UK's leading business law firms. He has represented numerous international companies, both as principal parties and complainants, before the U.K.'s Office of Fair Trading and the Competition Commission, the European Commission, and the European Community Courts. Mr. Ray's antitrust practice also includes defending corporations under federal grand jury investigation for alleged price-fixing and other anti-competitive conduct; litigating cases under state, federal and international antitrust laws; and counseling on a broad spectrum of international business matters including mergers and acquisitions, joint ventures, licensing, and distribution systems. Mr. Ray is currently an Adjunct Professor of EU Law at The Thomas Jefferson Law School in San Diego.

Communications

Mr. Ray also provides specialist legal advice on the regulatory, corporate and licensing aspects of Communications Law and has acted on a broad range of domestic and international communication transactions and issues. He has advised businesses throughout the industry, including those involved in satellite, cable, broadcasting, mobile and fixed telephony, and internet services. Mr Ray has represented clients before European regulatory agencies such as the UK's OFCOM, the European Commission and ETSI as well as before national and European courts on contentious and insolvency matters. Mr. Ray has written extensively on communications matters and co-authored a book on EU Communications Law and was hand-picked to draft a chapter on "Regulating VoIP: An Overview of the Main Challenges Governing the Deployment of VoIP Services in the US and EU" which was published in "Inside the Minds : Telecom Law Best Practices" (2006).

EDUCATION

- LL.B., London School of Economics and Political Science, 1998

- Postgraduate Diploma in Legal Practice, The College of Law, London, 1999

LANGUAGES

- French

EXPERIENCE

Representative Matters

Antitrust

Representing Samsung Electronics in TFT-LCD DOJ Antitrust Division grand jury criminal price fixing including coordinating defense of related international enforcement investigations.

Representing Samsung SDI America, Inc. and related entities in DOJ Antitrust Division grand jury criminal price fixing and foreign enforcement investigations involving cathode ray tubes.

Represented Samsung Electronics in Flash memory chips DOJ Antitrust Division grand jury criminal price fixing investigation.

Represented Samsung Electronics in SRAM memory chips DOJ Antitrust Division grand jury criminal price fixing investigation including coordinating defense of related international enforcement investigations.

Represented Samsung Electronics in DRAM memory chip antitrust price fixing DOJ criminal investigation, and related national federal MDL civil class actions and state indirect purchaser class actions.

Represented an international shipping transport company in a criminal grand jury investigation involving price fixing allegations in the tank container industry.

Represented an Asian Airliner in a criminal grand jury investigation involving price fixing allegations in the international airline cargo industry.

Representing MasterCard International Incorporated in a series of actions challenging foreign currency conversion practices under California's Unfair Competition Law.

Representing risk arbitrage managers of various institutional investors and investment funds in connection with US and EU antitrust and regulatory advice on strategic investments and sophisticated trading strategies in the securities of publicly traded companies that are parties to either hostile or friendly mergers.

Representing US corporations on EU antitrust compliance programs, and on the application of Article 81 and the EU block exemption for vertical agreements to distribution agreements with European retailers.

Represented numerous US and international corporations on Form CO merger filings with the European Commission, and merger notifications to the UK's OFT.

Communications

Represented KPMG on international telecommunications litigation against German and U.S. telecommunication carriers.

Represented Easynet, a major pan-European telecommunications provider, on various carrier agreements and telecommunications regulatory matters.

Represented Einstein Channel in the negotiation of a Digital Satellite Transmission Agreement with SC4 for the transmission of science and technology programs on UK's Sky Digital.

Represented CityReach International and DigiPlex, owners of carrier neutral collocation facilities, on contracts for the installation of carrier communications equipment, the provision of telecommunications and data services in their internet hotels and coordinating the rollout of their European internet hotels exchanges.

Represented Local Exchange Carriers in their agreements with major landlords for the provision of broadband services to tenants in multi-tenanted buildings and in respect of their service and equipment agreements with telecommunication service providers.

Represented UK's largest property companies and a major cellular phone operator on 3G mast-sharing agreements, and related antitrust and communications law issues.

Represented Cogent Defense and Security Networks on the contractual and regulatory issues related to a competitive tender for secure mobile radio communication for the UK's fire service.

Represented Westminster University on the provision of high speed internet access for staff and students in the University's buildings and halls of residence.

ARTICLES

- Author, "Regulating VoIP: An Overview of the Main Regulatory Challenges Governing the Deployment of VoIP Services in the US and EU", Telecom Law Best Practice: Leading Lawyers on Regulatory Compliance, Tax Planning, and the Federal Communications Commission, Aspatore Books, January 2006.
- Co-Author, "Role of Customer Complaints and Testimony in Merger Enforcement Post-Arch Coal and Oracle", The Sedona Conference Journal 2005.
- Co-author, "E.U. Electronic Communications Law," Richmond Law & Tax, London, August 2004.
- Author, "Modernizing the UK Competition Regime", Chartered Secretary Magazine, May 2002.
- Contributor, "Regulatory Aspects of Acquisitions in the UK and EU", Tolly's Company Acquisitions Handbook, June 2001.

Antitrust Law Blog Articles

- "European Commission Objects to Oracle-Sun Deal", December 16, 2009
- "Technology Sector Comes Under Increased Antitrust Scrutiny", November 10, 2009
- "EC Declines to Follow DOJ's Lead, Opens In-Depth Investigation of Oracle-Sun Deal", October 12, 2009
- "EC Launches Consultation on Distribution Rules", September 3, 2009

- "Top EU Court Rules That Single Meeting Between Competitors Can Be Breach Of European Antitrust Laws", August 12, 2009
- "ICN Adopts Recommended Practices To Improve Merger Analysis", July 9, 2009
- "EC Imposes \$1.45 Billion Antitrust Fine on Intel", June 12, 2009
- "English High Court Strikes Out "Class Action" Against British Airways", May 13, 2009

Climate Change and Clean Technology Law Blog Articles

- "EU's Proposals for Global Pact on Climate Change at Copenhagen", September 4, 2009