



Robert L. Magielnicki

Partner

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PRACTICE AREAS

- Litigation
- Antitrust and Trade Regulation
- Corporate

INDUSTRIES

- Healthcare
- Life Sciences

OVERVIEW

Robert L. Magielnicki is a partner in the Antitrust and Trade Regulation Practice Group. He has a multi-disciplinary practice and engages in a diverse commercial practice with emphasis on antitrust, domestic and international business transactions, and complex civil and criminal litigation.

Areas of Practice

Mr. Magielnicki has more than 35 years of experience in the fields of antitrust and trade regulation and business law, both domestically and internationally, including having served as General Electric Company's Associate Litigation and Antitrust Counsel.

EDUCATION

- J.D., Cornell Law School, 1970, *with distinction, Order of the Coif*
- A.B., Rutgers University, 1967, *with honors, Phi Beta Kappa*

ADMISSIONS

- New York
- District of Columbia

LANGUAGES

- Spanish

EXPERIENCE

Experience

Mr. Magielnicki provides antitrust counseling on a broad spectrum of business matters including mergers and acquisitions, joint ventures, licensing, distribution systems, trade association and standard development issues, Robinson-Patman Act issues, and joint buying arrangements. His experience includes counseling clients on the requirements of and numerous filings under the Hart-Scott-Rodino Act.

Mr. Magielnicki's litigation experience includes representing corporations and individuals in both civil and criminal investigations and litigation, including class actions, involving Sherman Act and Clayton Act claims. He also represents clients before the Antitrust Division and the Federal Trade Commission.

On the international front, Mr. Magielnicki has represented clients in numerous

transactions including acquisitions, dispositions, joint ventures, distribution arrangements and licensing agreements. He also has represented clients in investigations by the Competition Directorate of the European Union, as well as national competition authorities of a number of European and South American countries, and the Japan Fair Trade Commission.

Mr. Magielnicki represents a broad range of clients in corporate and commercial matters, including companies engaged in manufacturing, telecommunications, aerospace and defense, semiconductors, consumer goods, industrial products and health care. He also has represented a diverse array of clients in acquisitions, dispositions and joint ventures, both domestic and international, as well as in numerous complex contracting and licensing matters.

Examples of Mr. Magielnicki's commercial representations include:

Key negotiator and principal draftsman of joint venture agreement and implementing agreements forming a joint venture in industrial systems between a Fortune 10 client and a Latin American company which was an important part of the client's product and geographic growth strategy.

Lead counsel in \$295 million sale of a consumer products subsidiary. Key participant in formulating disposition strategy and negotiating with the buyer. Principal draftsman of sale agreement, as well as earlier agreements "spinning off" certain of the subsidiary's operations. Sale disposed of unwanted product lines at a significant profit upon favorable terms.

Lead counsel in \$289 million sale of unwanted product lines by a high technology company. Key negotiator and draftsman of numerous agreements disposing of assets and foreign subsidiaries. Profitable sale enabled client to implement new business strategy.

Assisted clients in the commercial and consumer products fields in formulating and implementing international distribution programs.

Successfully represented the Division President of a Fortune 100 company in major criminal antitrust case charging a nationwide conspiracy to fix prices. After a three-week trial, the jury returned a verdict of not guilty in less than two hours.

In addition to serving as General Electric Company's Associate Litigation and Antitrust Counsel, Mr. Magielnicki was counsel to GE at its corporate headquarters in Fairfield, Connecticut and also served as the Division General Counsel of GE's Factory Automation Products Division in Charlottesville, Virginia.

MEMBERSHIPS

- Member, Antitrust and International Law Sections, American Bar Association
- Member, New York State Bar Association
- Member, District of Columbia Bar Association

ARTICLES

Antitrust Law Blog Articles

- "FTC Chair Calls for Ban to Pay-For-Delay Settlements", January 25, 2010
- "Antitrust Enforcement in the Obama Era: Back to Basics -- Vigorously", June 12, 2009

- "Penalties for Failing to File Under the HSR Act Can Be Stiff", November 7, 2005

Corporate & Securities Law Blog Articles

- "New HSR Thresholds Announced", January 30, 2008

EVENTS

- Managing a Cartel Investigation