

# People

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Dillickrath returns to private practice

After two years as a senior trial attorney in the Federal Trade Commission's Bureau of Competition, Thomas Dillickrath is switching sides.

Dillickrath, who was deputy chief trial counsel, recently joined Sheppard, Mullin, Richter & Hampton as a partner in its Washington, DC, office.

"It is a well-established firm but also in a growth mode. It is a place where I can add value and make it a destination for antitrust law," he told *FTCWatch* in an interview.

In private practice, he sees his role as "working with clients to stimulate competition and keep them on the right side of the law."

While at the FTC, Dillickrath was involved in several high-profile cases, but said the highlights were his work in cases in two disparate fields, healthcare and maritime chemicals.

In the litigation blocking the merger of North Dakota medical practices Sanford Health and Mid Dakota Clinic, the FTC alleged it would significantly reduce competition for adult primary care physician services, pediatric services, obstetrics and gynecology services, and general surgery physician services in the greater Bismarck and Mandan, North Dakota, metropolitan area. The FTC won at the district court level and the companies have appealed to the US Court of Appeals for the Eighth Circuit, which heard arguments last November.

"It was a fun case and intellectually interesting, especially the economics part," he said.

He also noted there was a strong camaraderie among the trial team members, who spent several weeks together in North Dakota. He recalled they were there during Halloween in 2017 and managed to have some fun, despite being away from their families and having to endure snowy conditions in the fall.

The other case was the agency's effort to block Wilhelmsen Maritime Services' \$400 million acquisition of Drew Marine Group. The companies provide water treatment chemical products and related services to global fleets. Wilhelmsen abandoned the deal after a district judge in Washington, DC, ruled the agency had shown the deal would harm competition.

Dillickrath said even though companies appearing before the FTC are often represented by larger legal teams than those at the agency, he never felt that was a disadvantage during his two years there.

"The FTC's employees are very dedicated to the agency's mission and the lawyers there are

willing to put in whatever time is needed to do the job. So, it is something of a wash,” he said.

Before joining the FTC, Dillickrath was a partner at Baker Botts and an associate and partner at Howrey. He credits a two-week intensive trial boot camp while a summer associate at Howrey as getting him hooked on becoming a litigator. When he studied antitrust while a student at the University of Miami Law School, Dillickrath became attracted to the “intellectual rigor” of the subject.

He earned his bachelor’s degree from Florida Atlantic University.

Dillickrath’s academic interests extend far beyond the law. He has a master’s degree in history from George Mason University and studied philosophy at the University of Edinburgh. He did his thesis on the legal issues surrounding the Cuban Missile Crisis during the administration of President John F. Kennedy.

Dillickrath recalled he was able to have access to an unpublished memoir of Norbert Schlei, who was an assistant attorney general and the administration’s main legal adviser on the subject.

In addition, Dillickrath has spent extensive time studying the Progressive era and the business conditions before and after the passage of the Sherman Act. He said understanding the legal principles behind that law and other measures as well as the economic environment sheds light on how antitrust law has evolved.

“You look at laws and cases and see them not just as legal documents, but as historical documents. It’s not surprising that many great antitrust lawyers, like [former Assistant Attorney General] Jim Rill are also history buffs,” he said.

References:

<https://www.sheppardmullin.com/newsroom-pressreleases-550.html>

<https://www.linkedin.com/in/tomdillickrath/>

— Claude Marx