



## → John D. Carroll

### Partner

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John D. Carroll is a partner in the Antitrust & Competition Practice Group in the Washington, D.C. office.

### Areas of Practice

John's practice focuses on civil and criminal antitrust matters, including mergers & acquisitions, strategic counseling and compliance, and global cartel investigations, where he represents clients before the Department of Justice Antitrust Division, Federal Trade Commission, and international and state antitrust enforcement authorities.

Prior to private practice, John was in the Mergers I Division of the Federal Trade Commission's Bureau of Competition for several years. While with the FTC, he investigated, challenged, and negotiated settlements in a number of potentially anti-competitive business combinations in the aerospace, technology, consumer products, defense, healthcare, and pharmaceutical industries and received an Award for Meritorious Service for work on merger litigation.

John frequently speaks and writes on antitrust issues and has held leadership positions in the American Bar Association Section of Antitrust Law (formerly the Vice-chair of Healthcare & Pharmaceutical Committee and currently a Vice-chair of the Media & Technologies Committee) and the American Health Lawyers Association Antitrust Practice Group (former Social Media Chair).

### Honors

Leading Lawyer – Antitrust, Legal 500, 2020

GCR 100, 2018-2020

Rising Star – Antitrust, Washington Super Lawyers, 2016

### Experience

John has substantial experience representing large public and private companies in a variety of industries, private equity firms, and healthcare providers in antitrust matters. Recent representative matters are described below

#### Healthcare & Life Sciences

- Represented St. Luke's University Health Network on antitrust aspects of its entry into Civica Rx, a not-for-profit generic drug company, as a founding member.

- Represented St. Luke's University Health Network on antitrust aspects of its acquisition of Easton Hospital.
- Represented Ohio State University Wexner Medical Center and Mercy Health on antitrust aspects of the formation of a statewide affiliation to address Ohio's critical health needs.
- Represented Atrium Health on antitrust aspects of the formation of its Musculoskeletal Institute and entry into a co-management arrangement with physician groups.
- Represented Ochsner Health System in its formation of JOA with Slidell Memorial Hospital.
- Represented Owens and Minor on antitrust aspects of its acquisition of Byram Healthcare from Mediq.
- Currently advising health systems and physician groups on variety of antitrust issues, including network formation and potential transactions.
- Currently advising pharmaceutical and medical device companies on all aspects of competitor collaborations, including mergers, acquisitions, and joint ventures.

## **Consumer Products & Entertainment**

- Represented Energizer Holdings, Inc. on antitrust aspects of its \$2 billion acquisition of Spectrum Brands.
- Represented Carmike Cinemas in the Department of Justice investigation of their sale to AMC theatres, creating the nation's largest movie theatre chain.
- Representation of Hanesbrands Inc. in antitrust aspects of its acquisition of Maidenform Brands, Inc., a leading consumer goods company.
- Represented Bass Pro Group in its successful defense of an FTC investigation of its acquisition of Fishing Holdings LLC, a manufacturer of fishing boats that include Ranger Boats and the Stratos and Triton boat brands.

## **Manufacturing**

- Represented WestRock Company on antitrust aspects of its \$4.9 billion acquisition of KapStone Paper & Packaging.
- Represented Forterra Building Products, a portfolio company of LoneStar Funds, in the formation of a joint venture with a competitor.

## **Technology & FinTech**

- Represented Xerox Holdings Corporation in its unsolicited offer and proxy contest for HP Inc.
- Represented Total System Services on antitrust aspects of its \$54 billion merger of equals with Global Payments.
- Advised leading technology companies on range of antitrust issues regarding investigations and transactions.

## **Global Cartel Investigations**

- Defended multinational companies in criminal investigations alleging antitrust conspiracies.
- Represented an executive of international auto parts company in connection with a cartel investigation in that industry.

## Articles

- Effective Competition in Digital Platform Markets: Legislative and Enforcement Trends in the EU and the US  
*Lexxion*, 2022
- Is Congress the Answer? Evaluating Antitrust Legislation and the Impact on Technology Industries  
*Icarus – ABA Section of Antitrust Law*, Winter 2021

### Antitrust Law Blog

- "Treasury Department Recommends Antitrust Reform in Alcohol Markets," February 28, 2022
- "Antitrust Scrutiny Heating Up in Oil and Gas Industries," December 15, 2021
- "Back to the "Good Old Days": FTC Announces Return to Prior Merger Approval Regime," November 1, 2021
- "HSR Practice Alert – FTC is Making Changes to Respond to the "Massive Surge" in HSR Filings," August 27, 2021
- "FTC, Under Pressure from "Tidal Wave" of HSR Filings, To Begin Issuing Close-At-Your-Own-Risk Letters," August 4, 2021
- "The State of Competition in the U.S. Healthcare Industry," March 31, 2021
- "Vertical Deals in Healthcare: Key Antitrust Takeaways for Private Equity Firms," March 5, 2021

### Government Contracts & Investigations Law Blog

- "How a New Era in Antitrust Enforcement May Impact Government Contractors," February 24, 2021

### Healthcare Law Blog Posts

- "Top 5 Legal Issues in Digital Health to Watch for in 2022," February 1, 2022
- "Healthcare Antitrust Update: Key Antitrust Takeaways for Physician Groups," June 14, 2021

## Media Mentions

FTC, DOJ Launch Review to Strengthen Merger Guidelines, Antitrust Enforcement  
*S&P Global*, 01.18.2022

## Speaking Engagements

Panelist, "Antitrust Hot Topics: Spot the Antitrust Issues," American Health Law Association, October 27, 2021

Panelist, "2020's Biggest Antitrust Developments and What to Expect in 2021," AHLA's Speaking of Health Law Podcast, February 1, 2021

Moderator, "Recent Developments in Health Care & Pharmaceuticals," American Bar Association, Section of Antitrust Law, May 18, 2020

Panelist, "Federal Antitrust Enforcement of the FinTech Industry," Electronic Transactions Association, April 10, 2019

Panelist, "Healthcare Antitrust Educational Call," American Health Lawyers Association, December 11, 2018

Panelist, "Exclusionary Practices: An Overview," American Health Lawyers Association Annual Meeting, June 27, 2018

Panelist, "Recent Developments in Healthcare & Pharmaceuticals," American Bar Association, Antitrust Section, January 24, 2018

## Events

Healthcare and Life Sciences Antitrust – The Year in Review and a Look Ahead to What You Need to Know for 2022

Webinar, 02.24.2022

Antitrust Hot Topics: Spot the Antitrust Issues

Webinar, 10.27.2021

Fordham Competition Law Institute

Panel 2: "I'm Not Dead Yet!" Continued Policy and Analytical Challenges For Assessing Vertical Restraints—Foreclosure, Access and Even "Essential Facilities"

In Person and Live Broadcast at Skadden Arps, NY, 09.30.2021

Preliminary Injunction Granted: The NJ Hospital Merger

Webinar, 09.13.2021

Getting the Deal Done: Assessing Transactional Risk from Antitrust and Insurance Perspectives

Webinar, 06.03.2021

The Price is Right: Examining Antitrust and Pricing Issues in the Hospitality Industry

Webinar, 05.25.2021

Vertical Deals in Healthcare: Key Antitrust Takeaways

Webinar, 04.27.2021

## Memberships

ABA Antitrust Section, Vice-Chair of the Media & Technologies Committee (2021-2022)

## Podcasts & Webinars

AHLA's Speaking of Health Law 2021's - Biggest Antitrust Developments and What to Expect in 2022  
01.18.2022

Getting the Deal Done: Assessing Transactional Risk from Antitrust and Insurance Perspectives  
06.03.2021

05.25.21 The Price is Right: Examining Antitrust and Pricing Issues in the Hospitality Industry  
05.25.2021

Vertical Deals in Healthcare: Key Antitrust Takeaways  
04.27.2021

Nota Bene Episode 119: The State of Competition in the U.S. Healthcare Industry with John Carroll  
03.31.2021

## Practices

Antitrust and Competition

Digital Health

Healthcare

Litigation

## Industries

Healthcare

Life Sciences

Financial Services

Aerospace & Defense

Food and Beverage

Government Business Group

Hospitality

Retail, Fashion & Beauty

Transportation

## Education

J.D., George Washington University, 2004

B.A., University of Michigan, 2001

## Admissions

District of Columbia

Maryland

Supreme Court of the United States