



Contact

Christopher E. Ondeck

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Chris Ondeck is co-chair of the Firm's nationwide Antitrust Group. He represents clients in civil and criminal antitrust litigation, defending mergers and acquisitions before the U.S. antitrust agencies, defending companies involved in government investigations, and providing antitrust counseling.

Chris has handled antitrust matters for clients in a number of industries, including advertising, aerospace, alcoholic beverages, appliances, building materials, consumer products, defense, franchise, medical devices, metals, mining, natural resources, oil and gas, packaging, pharmaceuticals, software and telecommunications. He also has developed substantial experience advising clients regarding the application of the antitrust laws to the pharmaceutical industry, the agriculture industry, trade associations and the energy industry.

Chris also has particular experience with the antitrust issues involving food and agriculture. For more than 20 years, he has represented individual producers, suppliers, marketers, processors, distributors and other market participants. He also has represented many well-known agricultural cooperatives, agriculture industry associations and consumer brands. His experience includes large class actions, arbitrations and government investigations. He is a thought leader in the field, and has published and spoken extensively on the antitrust issues involved. He currently represents clients in the nationwide antitrust class action litigations in the broiler

chicken, egg, potato and mushroom industries.

Chambers USA, which ranks Chris as a leading antitrust lawyer, called him a "rising star," noting that clients describe him as "our primary thought partner - he's very good at explaining the complex issues and making them easy to understand" and praise him for "his strong advocacy skills."

Chris is a frequent speaker on antitrust topics, and is the author of the *Supply Control White Paper*, published in 2009 by the National Council of Farmer Cooperatives. Chris moderated the 2012 *Capper-Volstead Conference* and serves by appointment as the vice-chair of the Capper-Volstead Sub-Committee of the National Council of Farmer Cooperatives.

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Matters

Representative Litigation Experience:

- *In re Broiler Chicken Antitrust Litigation* (N.D. Ill): representing Wayne Farms in an antitrust class action involving claims of supply control and price-fixing in the broiler industry
- *Zenith Electronics LLC et al. v. Sceptre, Inc.* (C.D. Cal): successfully defended Zenith, Panasonic, Philips, and MPEG LA, a leading administrator of patent pools, against standard essential patent antitrust counterclaims in litigation relating to licensing of digital television patents; Section 1 conspiracy claims dismissed at oral argument on summary judgment
- *PharmaRx, Inc. v. GE Healthcare; Cardinal Health, Inc., and Cardinal Health 414*, (C.D. Cal.): represented Cardinal Health in an antitrust class action involving conspiracy and monopolization claims in the nuclear pharmaceutical distribution industry; prevailed on motion to dismiss
- *In re Fresh and Process Potatoes* class action antitrust litigation (D. Idaho): successfully defended Potandon Produce L.L.C., the largest marketer of potatoes in the U.S., in a nationwide multi-district litigation

- *In re Processed Egg Products* class action antitrust litigation (E.D. Pa.): successfully defended Daybreak Foods, Inc., one of the largest producers of eggs in the U.S., in a nationwide multi district litigation; Direct Purchaser Class claims dismissed at summary judgment stage
- *Nat'l Milk Producers Fed'n. et al. v. Edwards et al.* (U.S. Supreme Court): represented the National Council of Farmer Cooperatives as *amicus curiae* for the intersection between class certification and the Capper-Volstead Act
- *Standard Iron Works, Inc. v. ArcelorMittal* (N.D. Ill.): represented the steel industry trade association American Iron & Steel Institute in the steel products antitrust litigation
- *In re Mushroom Products* class action antitrust litigation (E.D. Pa.; 3rd Cir.): represented the National Council of Farmer Cooperatives as *amicus curiae*
- *Lawter & Associates, PLLC v. AT&T Inc. and Southwestern Bell Advertising L.P.* (W.D. Okla.): successfully defended AT&T Inc. and Southwestern Bell Advertising against tying and unlawful monopolization claims related to AT&T's directory publishing business
- *Talk America, Inc., et al. v. AT&T Corp.*, (D. NJ): successfully defended AT&T against predatory pricing, refusal to deal and essential facility claims related to AT&T's long-distance service business
- *Bay State Transit Services, LLC, v. National Railroad Passenger Corporation, et al.* (D.D.C.): successfully defended Amtrak in a tying and boycott case
- *Patriot Inc. v. AARP, Fannie Mae, Transamerica HomeFirst Inc., Wendover Funding Inc., and National Center for Home Equity Conversion* (D.D.C.): successfully represented AARP in an antitrust claim involving alleged conspiracy and defamation in the reverse mortgage industry
- *Vernalis Plc v. Covance, Inc* (arbitration): successfully defended Covance, the largest pharmaceutical testing company in the world, in a matter involving pharmaceutical testing and FDA approval of a new pharmaceutical
- Successfully represented an agriculture company in a DOJ criminal antitrust investigation, grand jury investigation closed without indictment
- Successfully represented a large group of food producers and distributors in a DOJ civil antitrust investigation into alleged wage-fixing and other employment practices, investigation closed without charges or a consent

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Representative Merger Experience:

- Represented a Fortune 500 oil company in the DOJ's successful challenge to the proposed merger of Baker-Hughes and Halliburton
- comScore, Inc. in its successful challenge to the \$1.26 billion acquisition by Nielsen Holdings N.V. of Arbitron Inc. before the Federal Trade Commission, resulting in a remedy that required an asset divestiture and licensing of intellectual property by the merging parties to comScore
- United Technologies Corporation in the \$18.4 billion acquisition of Goodrich Corp., the largest aerospace deal in history
- AT&T in the \$950 million sale of its Yellow Pages business to Cerberus
- Bank of America, Citigroup, Credit Suisse, Deutsche Bank, Goldman Sachs, JPMorgan Chase, Merrill Lynch and UBS in the formation of ICE US Trust LLC
- Rio Tinto in the \$764 million sale of its Jacobs Ranch coal mine to Arch Coal
- Reed Elsevier PLC in connection with the \$950 million divestiture of its Harcourt Assessment business to Pearson PLC
- Reed Elsevier PLC in connection with the \$4 billion divestiture of its Harcourt Education business to Houghton Mifflin Company
- AT&T in the sale of The Berry Company's Independent Line of Business to Local Insight Media
- AT&T in connection with its \$67 billion acquisition of BellSouth Corp.
- SBC Communications in connection with its \$16 billion acquisition of AT&T Corporation
- AT&T in connection with the sale of its outsourcing business to IBM
- Armor Holdings in its acquisition of Michaels of Oregon's law enforcement/security/military equipment business

- RAG Coal in the sale of its U.S. coal business to First Reserve/Blackstone Group
- Schmalbach Lubeca in the sale of its PET packaging and closures business to Amcor
- Diageo in its joint acquisition of Seagram, creating the world's largest alcohol beverage company

Representative Grand Jury Matters:

- In re: Aviation Fuel Services Grand Jury Investigation
- In re: Wire Harness Grand Jury Investigation
- In re: Citrus Imports Antitrust Grand Jury Investigation
- Represented former senior trader at Williams Energy Marketing & Trading on criminal conspiracy and commodities manipulation charge

Representative Energy Industry Experience:

- One of the largest publicly-traded, pure-play renewable power platforms, in the U.S., Canada, Brazil, the Republic of Ireland and Northern Ireland
- A nationwide joint venture of public utilities, that provides energy trading, scheduling and risk management services
- An industry association composed of approximately 30 energy companies representing the majority of natural gas and electricity transactions in the U.S.
- An index reporting entity for energy commodity transactions
- Serving as antitrust counsel for a hydroelectric generation and marketing joint venture formed between U.S. and Canadian energy companies
- A former senior trader at Williams Energy Marketing & Trading, defended against criminal conspiracy and commodities manipulation charges
- Merrill Lynch, advising on antitrust issues for its acquisition of EKT's energy trading business

- Authored filings and comments to the U.S. Federal Energy Regulatory Commission resulting in the issuance of the safe harbor for price reporting created by: *FERC Policy Statement on Natural Gas and Electric Price Indices* (July 24, 2003), *FERC Order on Clarification of Policy Statements on Natural Gas and Electric Price Indices* (December 12, 2003), and *FERC Order Further Clarifying Policy Statement on Natural Gas and Electric Price Indices* (July 6, 2005)

Practices

Litigation, Antitrust Technology Task Force, Privacy & Cybersecurity, Antitrust

Industries

Health Care

Education

University of Virginia Law School, J.D., 1995

University of Virginia, B.A., 1992

Admissions & Qualifications

District of Columbia

Virginia

Memberships

ABA Section of Antitrust Law

Awards & Recognition

The National Law Review Go To Thought Leader 2020

Benchmark Litigation National Litigation Star 2021

The Legal 500 United States: Antitrust: Civil Litigation/Class Actions 2017 -2020

Chambers USA: Antitrust 2011-2014

Legal Media Group's Expert Guide to Antitrust Lawyers/Economists 2013

Law 360 "Rising Star" Antitrust Litigation 2010

Acritas Star Lawyer 2018-2021