

United States

Washington's antitrust bar

The US capitals antitrust bar is on the verge of a generational shift – yet it remains as deep and talented as ever. **Ron Knox** and **Katy Oglethorpe** examine the top teams working in the hub of antitrust law.

Everything changes. Even in an antitrust market as mature as Washington, DC's, where practices and their leaders seem as stable as the city's cherished statuary, time ticks by nonetheless. Over the past few years, some of the city's most esteemed antitrust groups have begun ushering in new leadership or, at the very least, preparing for transitions that appear imminent. New partners arrive, poached from other firms or emerging from government service, while long-time partners appear on fewer and fewer matters. It's the way of the world, and in the US capital, those changes have begun to unfold.

While transitions in the leadership of legal practice groups are nothing new, there's a hitch in the US market that practitioners here have observed for years. Because of a precipitous downturn in enforcement during the late 1970s and 1980s, there has long been something of an age gap in the US antitrust bar. Senior partners and practice leaders in their 60s and 70s are joined by junior partners in their 30s and 40s, often with few partners in between. Those few US antitrust lawyers who remained focused on antitrust law despite the Reagan downturn in the 1980s and carried on in private practice are now sought-after commodities. Some firms have partners in this age group ready to take over practices and client relationships, and some don't.

"One of the things that stands out is that some firms don't have anyone between [the age of] 40 and 60," says Bruce Hoffman, partner at Hunton & Williams. In practices with few 50-something partners, transitions from one generation to the next can be tricky. "There are a number of firms out there looking for prime-of-their career antitrust lawyers with agency experience."

Indeed, this slow transition has created a competitive tension between antitrust practices. At some firms, young partners who are or may soon be practice leaders look at other practices with no clear transition plan and predict doom for the group once the senior partners step away. Meanwhile, senior partners at many firms look at the emerging sea of 40-something antitrust lawyers and brush them aside as inexperienced and unknown.

Many firms have sought top figures from the antitrust enforcement agencies to help bridge the gap between senior

practice leaders and up-and-coming partners in their 30s and 40s. Other firms have recruited agency staff to start up antitrust groups in DC, often to complement established practice groups elsewhere in the US or overseas.

That process has, at least so far, raised more questions than answers about which groups will thrive and which may struggle over the next five or 10 years. At most firms, senior practice leaders are still in place and the transition to new groups may yet be some years away. But the process has clearly started, and practitioners here say it will shape the future of this leading antitrust bar.

Highly recommended

The DC-based antitrust specialists at **Wilson Sonsini Goodrich & Rosati** continue to be among the go-to advisers for high-tech companies facing major antitrust issues. Practice leader and Who's Who nominee Susan Creighton was GCR's most recent Lawyer of the Year, and fellow Who's Who Legal nominee Scott Sher is a true star of the antitrust bar. But the DC team has considerable depth; partners Seth Silber, Mark Rosman and others round out the practice. The Wilson Sonsini team blends deep agency experience with private sector know-how and a Silicon Valley pedigree tailor-made to understand and advise at the cutting edge of antitrust matters.

Creighton and the Wilson Sonsini team were front and centre last year in advising online search leader Google in the FTC's multi-faceted investigation of company's alleged bias in listing search results – an investigation that ended without any changes to the company's core business and only minor changes elsewhere. The investigation dominated headlines for months and, by all accounts, was a clear victory for the company and its antitrust counsel. But the firm's list of tech clients stretches far beyond Google. Rosman and the team are advising Bazaarvoice in the DoJ's challenge of its merger with PowerReviews – a matter that seems destined for trial. Pandora, Twitter, voice recognition software company Nuance and telcoms company T-Mobile are also on the firm's client roster, along with LiveNation, Caregroup and others.

FIRM	HEAD OF COMPETITION	SIZE	CLIENTS
HIGHLY RECOMMENDED			
Wilson Sonsini Goodrich & Rosati	Susan Creighton	5p, 2c, 18a	Google, NVIDIA, Adobe, LinkedIn, Micron Technology, Netgear, HTC Corporation, Transitions Optical, Catalyst Health Solutions

Key: p = partner, sa = senior associate, a = associate, c = counsel, oc = of counsel, sc = senior counsel, e = economist, st a = staff associate