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### Practice Areas

- » Antitrust & Competition
- » Antitrust Counseling
- » Antitrust Litigation
- » Mergers and Acquisitions/Premerger Notification

## John D. Harkrider

### PARTNER

*Winner of 2012 GCR "Lawyer of the Year"*

*"experienced and highly capable" From Chambers USA/2011*

*"an extremely intelligent attorney with formidable understanding of business and finance" From Chambers USA/2010*

*"incredibly bright mind and intellectual capacity." From Chambers USA/2008*

*"has the best understanding of not only how to build a case but also how to break it" From Chambers USA/2007*

*"Brings to the table impressive economic knowledge - an important dimension that you don't always find elsewhere." From Chambers USA/2006*

John Harkrider is co-chair of Axinn, Veltrop & Harkrider's antitrust practice. His practice concentrates on mergers, counseling and litigation. In the merger context, he advised Google in its US\$12.5 billion acquisition of Motorola Mobility as well as its US\$700 million acquisition of ITA, SunGard Data Systems in its US\$1.6 billion sale of SunGard Higher Education to Datatel, XLHealth in its US\$2.2 billion sale to UnitedHealth, Thermo Fisher Scientific with respect to its US\$2.1 billion acquisition of Dionex, Bemis Company in its US\$1.2 billion acquisition of the Food Americas' assets of Alcan, Ball Corporation in its US\$577 million acquisition of the MCC assets from Anheuser-Busch InBev, Cingular in its US\$41 billion acquisition of AT&T Wireless, BellSouth in its US\$67 billion acquisition by AT&T, Omnicare in its hostile takeover of both Pharmerica and NeighborCare, and Harcourt General with respect to its US\$4.5 billion sale to Reed Elsevier and Thompson.

In litigation, Mr. Harkrider represented both Tyson Foods and George's with respect to Tyson's sale of assets to George's in the Western District of Virginia, Omnicare with respect to its Section One

**John D. Harkrider** (continued)

conspiracy claims against United Health in both the Northern District of Illinois and the Seventh Circuit, United Technologies Corporation in connection with Walker Process and Handguards claims in the Northern District of Illinois and District of Maryland, and IBP in opposition class certification in the Middle District of Alabama. In counseling, he has advised MasterCard's Board of Directors with respect to their IPO as well as the Board of Directors of a major European air cargo company with respect to possible criminal liability. In addition, Mr. Harkrider represented the U.S. Department of Justice in its investigation and suit to enjoin WorldCom's US\$120 billion attempted acquisition of Sprint.

Mr. Harkrider has written and spoken extensively on antitrust as the lead editor of a handbook on Econometrics in Antitrust, published by the ABA. He is also the author of a number of articles, including Obama: The First Year, ANTITRUST, Summer 2010; Lessons from the Great Depression, ANTITRUST, Spring 2009; Antitrust Enforcement During the Bush Administration, An Econometric Estimation, ANTITRUST, Summer 2008; Exporting Antitrust Law to China, Global Competition Review, February 2006; Risk-Shifting Provisions and Antitrust Risk: An Empirical Examination, ANTITRUST, Fall 2005; and Sophistication Snag, The Deal, January 17, 2005,. He has regularly appeared as an antitrust commentator on CNBC, Fox and BBC America.

Mr. Harkrider delivered remarks at the prestigious Milton Handler Annual Antitrust Review sponsored by the Association of the Bar of the City of New York.

Mr. Harkrider is recommended by Chambers USA and was named by Global Competition Review as the 2012 competition "Lawyer of the Year".

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**Bar & Court Admissions**

- » District of Columbia
- » New York
- » U.S. Court of Appeals for the Second Circuit
- » U.S. Court of Appeals for the Sixth Circuit
- » U.S. Court of Appeals for the Seventh Circuit
- » U.S. District Court Southern District of New York

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## Education

- » University of California, Hastings College of the Law, San Francisco, California, 1991 J.D. cum laude. Honors: Order of the Coif; Thurston Society, 1991.
- » University of Michigan, Ann Arbor, Michigan, 1988 B.A. Honors: Highest Honors.

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## Articles & Newsletters

- » Obama: The First Year, ANTITRUST, Summer 2010
- » Lessons from the Great Depression, ANTITRUST, Spring 2009
- » Antitrust Enforcement During the Bush Administration, ANTITRUST, Summer 2008
- » Exporting Antitrust Law to China, Global Competition Review, February 2006
- » Operationalizing the Hypothetical Monopolist Test
- » Risk-Shifting Provisions and Antitrust Risk: An Empirical Examination, ANTITRUST, a publication of ABA Section of Antitrust Law, Fall 2005
- » Sophistication Snag, The Deal, January 17, 2005
- » Proving Anticompetitive Impact: Moving Past Merger Guidelines Presumptions, 2004 Milton Handler Antitrust Review, 2005 Colum. Bus. L. Rev. 317, 2005
- » Resolving Complex Antitrust Cases Promptly, Icarus, a publication of ABA Section of Antitrust Law, Summer 2002

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## Professional Activities

- » Editorial Board, ANTITRUST, 2007 - present
- » American Bar Association, Vice-Chair, Economics Committee of Antitrust Section, 2003 - 2006
- » New York State Bar Association
- » New York City Bar Association

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## Recent News

- » AVH winner of “Merger Control Matter of the Year- Americas” by Global Competition Review
- » John Harkrider selected as “Lawyer of the Year” by Global Competition Review

**John D. Harkrider** (continued)

- » AVH Named to 2012 Midsize Hotlist by The National Law Journal
- » AVH Obtains Antitrust Clearance for \$1.775 Billion Combination of SunGard Higher Education and Datatel, Inc.
- » AVH represents Google in connection with the patent/antitrust issues raised by Google's \$12.5 billion acquisition of Motorola Mobility Holdings, Inc.
- » AVH's Antitrust Practice "Highly Recommended" in Global Competition Review Survey
- » AVH Partner John D. Harkrider named a 2011 Law360 "MVP"
- » AVH Partners Named New York Super Lawyers 2011 - Metro Edition
- » AVH Partners Named to Super Lawyers Business Edition 2011
- » AVH Represents Omnicare Inc. in Proposed Acquisition of PharMerica Corp.
- » AVH Partners Again Ranked by Chambers
- » AVH's Antitrust Practice "Highly Recommended" in Global Competition Review Survey
- » AVH Represents Google in its \$700 Million Acquisition of ITA
- » AVH Practice Groups, Attorneys Rank Highly in Chambers 2010 USA Release
- » Super Lawyers Names AVH Attorneys - New York Metro 2010
- » The International Legal Alliance Recognizes Axinn Veltrop & Harkrider LLP as One of the Top Antitrust Firms in the U.S.
- » AVH Recognized Among the Best Antitrust Practices in NY by Global Competition Review Magazine
- » AVH Attorneys Named to Super Lawyers Corporate Counsel Edition - January/February 2010
- » The Antitrust Review of the Americas
- » AVH Partners Named New York Super Lawyers 2009 - Metro
- » John Harkrider Discusses White House Announcement of Revised Antitrust Laws with The Wall Street Journal
- » AVH Attorneys Named New York Super Lawyers 2008
- » John Harkrider Featured in Competition Law 360
- » Chambers USA Ranks Axinn, Veltrop & Harkrider LLP Among Top New York Law Firms
- » AVH Partners Named to New York Super Lawyers 2006 - Metro

**John D. Harkrider** (continued)

- » AVH Obtains Antitrust Clearance for Omnicare's Acquisition of Rival Neighborcare
- » John D. Harkrider Speaks at Milton Handler Annual Antitrust Review
- » AVH Counsels BellSouth and Cingular in Acquisition of AT&T Wireless
- » AVH Represents Harcourt General in Sale to Reed Elsevier and Thomson Corporation
- » AVH Represents Sungard Data Systems Inc. in Acquisition of Availability Solutions Business of Comdisco Inc.
- » AV&H Attorneys Named New York Super Lawyers 2007- Metro Edition