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Connecticut

Practice Areas

- » Antitrust Counseling
- » Antitrust Litigation
- » BioMedical Practice Group
- » Complex Litigation
- » Intellectual Property
- » Mergers and Acquisitions/Hart-Scott Rodino

Michelle H. Seagull

COUNSEL

Michelle Seagull is involved in all areas of the firm's Antitrust Practice Group, including antitrust counseling, mergers and acquisitions and litigation.

Ms. Seagull's antitrust counseling practice includes the provision of antitrust advice related to conduct implicating Section 1 and 2 of the Sherman Act, the Robinson-Patman Act and the Hart-Scott-Rodino Act. Ms. Seagull also regularly counsels clients on issues arising out of the intersection of antitrust and intellectual property law such as the antitrust aspects of license agreements, joint ventures, patent pools and the settlement of patent litigation, including pharmaceutical settlements under the Hatch-Waxman Act. In addition, Ms. Seagull designs antitrust compliance programs and conducts corporate antitrust training sessions on behalf of her clients.

Ms. Seagull's merger practice involves analyzing the competitive effects of proposed mergers, acquisitions and joint ventures, and responding to government investigations. She has conducted merger review analysis, counseling and merger defense on behalf of clients in a variety of industries, including telecommunications, flexible packaging, electronic games and supermarkets. She also represents clients before federal and state antitrust agencies in connection with merger investigations and other antitrust investigations.

Ms. Seagull's litigation practice includes the representation of plaintiffs and defendants in antitrust and general commercial disputes, including class actions, before federal and state courts. Recently, Ms. Seagull successfully argued a case related to Connecticut's Antitrust Act before the Connecticut Supreme Court, obtaining a unanimous decision in favor of her client. Ms. Seagull also successfully represented Enron International Korea in connection with an antitrust action arising under Section 1 of the Sherman Act, defended Albert Einstein College of Medicine in securing dismissal of a major national class action antitrust complaint

Michelle H. Seagull (continued)

alleging violations of Section 1 of the Sherman Act, and brought a claim on behalf of a pharmaceutical client raising sham litigation claims under Section 2 of the Sherman Act. Ms. Seagull has also defended clients against Connecticut Unfair Trade Practice Act and RICO claims.

Bar & Court Admissions

- » Connecticut
- » U.S. District Court District of Connecticut

Education

- » Harvard Law School, Cambridge, Massachusetts, 2000 J.D. Harvard Journal on Legislation.
- » Washington University, St. Louis, Missouri, 1997 B.A. Political Science.

Publications

- » Increasing Antitrust Enforcement Under Obama?, *Competition Law360*, December 30, 2008
- » Authorized Generics: Consumer Friend or Foe?, *The Intellectual Property Committee Newsletter*, The Section of Antitrust Law of the American Bar Association, Fall 2008, Volume Eight, Number One
- » Ask the Expert: Michelle Seagull Comments on Cipro Antitrust Case, *Generic Line*, *FDAnews*, October 29, 2008
- » Cipro: A Road Map For Reverse Payment Litigation, *IP Law360*, *Health Law360*, and *Competition Law360*, October 28, 2008
- » Class Action Reaction: Ameded Rule 23 Enhances Judicial Supervision in Class Litigation, *ANTITRUST*, a publication of ABA Section of Antitrust Law, Spring 2004
- » U.S. Supreme Court Again Clarifies the Power of Arbitrators, *229 N.Y.L.J.* 4, 2003
- » *The Human Cloning Prohibition Act: Did Congress Go Too Far?*, *35 Harv. J. on Legis.* 637, 1998

Professional Activities

- » American Bar Association, Antitrust and Intellectual Property Sections

» Connecticut Bar Association

Recent News

- » AV&H Wins 7-0 Summary Judgment in Connecticut Supreme Court
- » AV&H Represents URL/Mutual Companies in Launch of Guaifenesin Products
- » AV&H Obtains Antitrust Clearance for Rent-Way, Inc.'s \$567 Million Acquisition by Rent-A-Center
- » AV&H Wins Dismissal of Yeshiva University from Antitrust Conspiracy Class Action