

## Michelle Yost Hale

PARTNER

Antitrust and  
Competition  
*Washington, D.C.*

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### FOCUS AREAS

Antitrust Civil Enforcement  
Antitrust Compliance and  
Business Strategy  
Antitrust Litigation  
Antitrust Merger Clearance  
Antitrust and Competition  
Antitrust and Intellectual  
Property  
Defense Tech  
Third-Party Merger and  
Non-Merger Antitrust  
Representation

### HIGHLIGHTS

- **Regulatory Strategist**  
Michelle's former government experience shapes her approach to crafting effective strategies for clients, including advocating for strategic transactions and managing civil investigations.
- **Robinson-Patman Act Expertise**  
Michelle brings extensive expertise in navigating the complexities of the Robinson-Patman Act, advising clients on pricing and distribution practices to ensure compliance and mitigate the risk of violations.

### EXPERIENCE

Michelle Hale focuses on complex, government-facing antitrust matters. Michelle regularly represents companies before the Federal Trade Commission (FTC) and the U.S. Department of Justice in conduct and merger investigations, including specializing in matters involving investigations into potential Robinson-Patman Act violations. This experience informs her ability to provide effective antitrust counseling on a wide range of business conduct, including joint ventures, collaborations, and pricing and distribution, among others. She also has extensive experience navigating through the complexities of the U.S. HSR and multi-jurisdictional filing processes.

Prior to joining the firm, Michelle served as a lead attorney in the Mergers IV division of the FTC, where she led matters related to the healthcare, supermarket, and retail industries. During her time at the FTC, Michelle also served as counsel to the director of the Bureau of Competition, where she advised two Bureau of Competition directors on a wide range of antitrust issues. She has significant litigation experience and served as an integral member of the FTC's trial team in the FTC's successful challenges to ProMedica Health System's acquisition of St. Luke's Hospital.

### CREDENTIALS

#### Education

- J.D., Howard University School of Law, 2007  
*Member, Civil Rights Clinic; Technical Editor, Howard Scroll: The Social Justice Law Review*
- B.A., Communications, Virginia Tech, 2001  
*Concentration in Public Relations, Minors in Black Studies and Spanish*

#### Honors

- Recognized in the D.C. Antitrust category in the 2025 edition of *Chambers USA*
- Selected for inclusion in the 2023-2026 editions of Lawdragon's "500 Leading Litigators in America" and the 2025-2026 editions of its "500 Leading Global Antitrust & Competition Lawyers" guide

- Honored by the FTC in 2010 with the Stephen Nye Award—the highest award given to a junior attorney at the FTC
- Received an award for meritorious service in 2010 for her contributions to the FTC's investigation into Google's acquisition of AdMob
- Honored with the FTC's Janet D. Steiger Award in 2008 for her contributions to the Inova/Prince William litigation and again in 2012 for her contributions in several hospital merger litigations

### Admissions

- Bar of the District of Columbia
- State Bar of New York

## MATTERS

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### Select Representations

#### Transactions

- Represented Walmart as a third party in the federal and state litigations to enjoin the Kroger/Albertsons merger
- Represented Run:ai Labs in its sale to Nvidia
- Represented ForgeRock in its \$2.3 billion acquisition by Thoma Bravo
- Represented Bungie in its sale to Sony
- Represented Vertos Medical, Inc. in its acquisition by Stryker
- Represented Genesis Medtech in its carve out transaction to JC Edwards
- Represented Mobile Health on its acquisition by H.I.G. Growth
- Represented SilkRoad Medical in its sale to Boston Scientific
- Represented Foresight Diagnostics in its strategic partnership with Allogene Therapeutics
- Represented Amphastar in its acquisition of BAQSIMI from Eli Lilly
- Represented Caption Health in its sale to GE HealthCare
- Represented PacBio in its attempted merger with Illumina
- Represented Price Chopper Supermarkets in its merger with Tops Friendly Markets
- Advised Northrop Grumman Corporation on its successful \$3.4 billion sale of Federal IT and mission support services businesses to Peraton, a Veritas portfolio company
- Represented Vivint Solar in connection with its acquisition by SunRun, a transaction that combined two of the leading solar financing companies in the world, in an investigation by the Department of Justice
- Advised Nintex in its successful merger with K2
- Represented Southeastern Grocers, Inc., in its sale of grocery stores and a distribution center to Ahold Delhaize, in a Second Request investigation conducted by the FTC; the matter was cleared without conditions
- Represented Brocade in connection with its sale to Broadcom
- Represented iControl in connection with its sale to Alarm.com, in a Second Request investigation by the Federal Trade Commission

#### Conduct Investigations

- Represented a Fortune 500 company in conjunction with an investigation into compliance with a FTC order
- Represented a Fortune 50 company as a market participant in several Robinson-Patman Act investigations
- Represented a significant trade association in ongoing antitrust and compliance counseling related to ongoing investigations
- Represented a leading security and compliance company in the Department of Justice's investigation into the Section 8 interlocking directorates issue
- Represented numerous non-public investigations into retail and grocery transactions

## INSIGHTS

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### Select Publications

- Co-author, "The Trump FTC Takes New Action Against Non-Competes, While Abandoning Defense of the Biden-Era Non-Compete Clause Rule," Wilson Sonsini Alert, September 12, 2025
- Co-author, "DOJ Carries Through on Revitalization of Merger Remedies," Wilson Sonsini Alert, June 16, 2025
- Co-author, "'Beat Mist' Campaign Draws Scrutiny from DOJ in Merger Challenge," Wilson Sonsini Alert, February 5, 2025

- Co-author, “Whither Antitrust Enforcement Under Trump 2.0?” Wilson Sonsini Alert, November 15, 2024
- Co-author, “Old-Fashioned Approach Still Wins It for the FTC in Luxury Goods Merger Challenge,” Wilson Sonsini Alert, October 30, 2024
- Co-author with A. Welch-Alleyne, "Anti-Steering Provisions in Healthcare Contracts: Anticompetitive or Acceptable?" American Bar Association, July 18, 2022
- Co-author with S. Sher, J. Ferris, and J. Miller, "Distribution Merger Challenges at the FTC," Wilson Sonsini Goodrich & Rosati article, March 2021
- Co-author with S. Sher and R. Crauthers, "United States: Digital Platforms," *Americas Antitrust Review 2020*, Global Competition Review Insight, 2019

### Select Speaking Engagements

- "Antitrust on Tap: Mergers, Market, Enforcement and the Future of Competition in the Alcohol Industry," National Conference of State Liquor Administrators 2025 Annual Conference, Lahaina, HI, June 2025
- “The Current State of Competition Law (Federal and State),” Competition Law Seminar, Salt Lake City, UT, April 2025
- "Antitrust Update for the ABA Corporate Counseling Committee," ABA webinar, June 30, 2022