

## Michelle Yost Hale

PARTNER

Antitrust and  
Competition  
Washington, D.C.

mhale@wsgr.com  
202-973-8836



### FOCUS AREAS

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

### EXPERIENCE

Michelle Hale is a partner in the Washington, D.C., office of Wilson Sonsini Goodrich & Rosati. Her practice focuses on representing companies in government antitrust investigations, including mergers and acquisitions and other civil antitrust investigations. She regularly appears before the Federal Trade Commission (FTC) and the U.S. Department of Justice, representing companies across a range of industries. Michelle also provides antitrust counseling on a wide variety of business conduct, including joint ventures, collaborations, and pricing and distribution, among others.

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.

While attending law school, Michelle served as an antitrust research assistant to Professor Andrew Gavil and as a legal assistant to the Office of Student Affairs.

### 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

- Selected for inclusion in the 2023 and 2024 editions of *Lawdragon 500 Leading Litigators in America*
- 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

## Select Representations

- 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
- Numerous non-public investigations into retail and grocery transactions

## INSIGHTS

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### Select Publications

- 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 Update for the ABA Corporate Counseling Committee," ABA webinar, June 30, 2022