

Antitrust Criminal Enforcement



HIGHLIGHTS

■ Practitioners Skilled in Cartel-Related Matters

Wilson Sonsini's antitrust team has been involved in some of the largest cartel investigations.

OVERVIEW

Competition authorities around the globe aggressively investigate and prosecute collusion among competing companies. The U.S. Department of Justice, in particular, prosecutes such conduct criminally. Indeed, the DOJ has imposed substantial fines and prison sentences against alleged conspirators, including those located abroad.

The DOJ's enforcement efforts are often coordinated with other competition authorities, as many investigations are global in scope. For example, the DOJ's Procurement Collusion Strike Force has been active in trying to identify and prosecute criminal antitrust conduct in the government procurement sector.

With these increased enforcement efforts, companies and their employees need experienced, motivated, and pragmatic criminal antitrust counsel—counsel who can steer them clear of potential criminal sanctions and help them avoid the burdens and potential consequences of a criminal antitrust investigation.

Our antitrust team has successfully counseled clients on criminal antitrust issues and represented numerous companies and individuals in investigations and grand jury proceedings across a range of industries. Our team has extensive experience dealing with international investigations and has routinely represented foreign companies and executives before the DOJ as well as other competition authorities.

Our antitrust team members have served as U.S. Attorneys and Department of Justice Antitrust Division prosecutors and senior managers, and have participated on the Antitrust Modernization Commission, which was responsible for overseeing and recommending changes to the criminal antitrust laws and procedures.

Notably, our attorneys have played key roles in some of the most prominent criminal antitrust investigations in recent years, namely the multi-jurisdictional investigations in the financial services, ocean and air transportation, auto parts, and electronics (e.g., DRAM, capacitors) industries. Currently, we are representing a number of companies and individuals in connection with several different ongoing DOJ criminal investigations and counseling clients so that they may avoid potential criminal exposure.

Our team comprises a deep bench of former antitrust prosecutors and defense counsel, including [Brent Snyder](#), [Wendy Waszmer](#), [Karen Sharp](#), and [Jeff VanHooreweghe](#), all of whom had significant roles at the U.S. Department of Justice. Before joining Wilson Sonsini, Brent served as Deputy Assistant Attorney General for Criminal Enforcement at the DOJ's Antitrust Division. He also has more than 10 years' experience investigating and prosecuting criminal antitrust cases as a trial attorney for the Antitrust Division. Most recently, Brent served as CEO of the Hong Kong Competition Commission, Hong Kong's competition enforcement agency. Additionally, the team includes [Beau Buffier](#), former Antitrust Bureau Chief of the New York State Office of the Attorney General, who is experienced in coordinating global antitrust investigations before the UK Competition Authority and the European Commission.

Of course, the best offense is a good defense, and we partner with our clients to ensure that they take steps to avoid the prospect of a damaging criminal investigation. We also work with clients to set up compliance programs tailored to their business needs and objectives.

REPRESENTATIVE MATTERS

Representative Government Criminal Enforcement Matters

Examples of our representations include the following:

- Represents companies and a high-level executive in DOJ “no poach” investigations of illegal hiring practices
- Represents a Korean company and its president in an investigation by the DOJ’s Procurement Collusion Strike Force of bid-rigging in the fuel supply industry
- Represents an individual in a multi-jurisdictional investigation by the DOJ’s Procurement Collusion Strike Force of bid-rigging in the security industry
- Represents a leading pharmaceutical company in an industry-wide federal grand jury investigation, as well as state investigation
- Represents an international supplier of electrical components in a multi-jurisdictional cartel investigation involving price-fixing and market allocation allegations
- Represents a financial services company before the DOJ in a cartel (bid-rigging) investigation
- Represents an individual in the DOJ’s criminal investigation of a conspiracy to fix prices and rig bids for broiler chicken products
- Represented several companies and individuals in the auto parts investigation conducted by multiple antitrust bodies, including the Antitrust Division of the Department of Justice, European Commission, and Japan Fair Trade Commission, among others
- Represented a company in a multi-jurisdictional investigation involving electronic components, as well as in follow-on class action suits
- Represented several individuals in separate multi-jurisdictional and multi-agency investigations involving the financial services industry
- Represented a high-level executive in an investigation involving the collegiate multimedia rights business
- Represented a high-level executive in federal and state criminal investigations in the energy industry, as well as follow-on civil litigation
- Represented a high-level executive of an international ocean carrier in an investigation involving the ocean shipping industry
- Represented an international air carrier in a multi-year, international price-fixing investigation, as well as in civil follow-on class action suits
- Represented a leading supplier in the DOJ’s DRAM investigation
- Represented a consumer goods supplier inclosing a criminal investigation conducted by DOJ
- Represented an individual in a case involving the transfer of money in Latin America
- Represented a shipping company seeking immunity from the DOJ under the Shipping Act
- Represented a company involved in a criminal investigation relating to construction contracts in Egypt
- Represented a SRAM supplier in connection with litigation derived from the DOJ’s investigation into SRAM price-fixing allegations
- Represented a client in connection with the DOJ’s E-Rate investigation relating to bid rigging in the provision of computer supplies to government-funded education programs
- Represented an angel investor in a DOJ investigation into a potential bid-rigging scheme in the venture capital market
- Represented a private equity firm in a bid-rigging investigation by the DOJ
- Assisted an energy company and one of its employees in a bid-rigging investigation