

Merger Opposition Advocacy

- **Verizon/SpectrumCo.** Joint venture between Verizon Wireless and the major cable companies to cross-license products and create a joint operating entity for emerging technology. Advocacy on behalf of the Communication Workers of America in opposition to the joint venture before the DOJ and FCC. The DOJ issued a consent decree requiring specific changes to the transaction to preserve broadband and video service competition between Verizon and cable companies.(2012)
- **Express Scripts/Medco.** Merger of two of the three largest pharmacy benefit managers. Advocacy on behalf of a coalition of pharmacies, health plans, employers, unions and consumers in opposition to the merger before the FTC. (2012)
- **Comcast/NBC.** Merger of a major television content distributor and major television content produce. Advocacy on behalf of various independent content producer groups in opposition to the merger before the DOJ and the FCC. The DOJ issued a consent decree in which the combined company agreed to license programming to online distributors, and comply with anti-retaliation provisions and open internet requirements. (2010)
- **Grifols/Talecris.** Merger of two plasma protein therapeutics manufacturers. Advocacy in opposition to the merger on behalf of various Safety Net Hospitals before the FTC. (2010)
- **Flying J/Pilot.** Merger of two large truck stop service chains. Advocacy on behalf of independent truck stop associations who opposed the merger. (2010)
- **CSL/Talecris.** Merger of two plasma protein therapeutics manufacturers. Advocacy in opposition to the merger on behalf of various Safety Net Hospitals before the FTC. We helped to convince the FTC to sue the parties to block the merger. (2009)
- **Allied/Waste Management.** Merger of two waste management service providers. Advocacy on behalf a non-profit center for a competitive waste industry in opposition to the merger before the DOJ. We helped to convince the DOJ to file a proposed final judgment with concessions. (2009)
- **Broadcom/Dune.** Merger of two technology companies engaged in the design and development of scalable Ethernet switch and switch fabric solutions for networking equipment. Advocacy on behalf of a competitor in opposition to the merger before the FTC. (2009).

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- **ESS/Diebold.** Merger of two of the largest voting machine manufacturing companies. Advocacy on behalf of a competitor in opposition to the merger before the DOJ. We helped to convince the DOJ to file its proposed final judgment with major concessions including significant divestitures. (2009)

- **Ticketmaster/Live Nation.** Merger of two live entertainment companies involved in the sale of live entertainment tickets, artist management and concert promotion. Advocacy on behalf of various competitors of the merging companies in opposition to the merger, including providing testimony before the Senate Judiciary Committee on the anticompetitive effects of the merger. We helped to convince the DOJ and several state Attorneys General to file a proposed final judgment with major concessions. (2009-2010)

- **Express Scripts/Wellpoint.** Merger of two large pharmaceutical benefit managers. Advocacy on behalf of various consumer groups (including the American Antitrust Institute and Consumer Federation of America) in opposition to the merger. (2009)

- **Highmark/Independence Blue Cross.** Merger of two major health insurers in Pennsylvania. Successfully advocated on behalf of a coalition of doctors, hospitals, and rival insurers to oppose this health insurance merger before the Antitrust Division and the Pennsylvania Insurance Commissioner, as well as providing testimony before the Senate Judiciary Committee. We helped to convince the Pennsylvania Insurance Commissioner to oppose this merger and it was dropped. (2009)

- **JBS/National.** Merger of two of the largest beef processors. Advocacy on behalf of different groups of farmers, ranchers, and retailers to oppose this merger, including providing testimony before the Senate Judiciary Committee. The DOJ and 17 states sued and we filed a separate lawsuit challenging the deal. The parties dropped the deal. (2008)

- **United Healthcare/Sierra.** Merger of two of the major health insurers in Nevada. Advocacy on behalf of a coalition that included Clark County (i.e., Las Vegas), doctors, nurses, and consumer groups who opposed the merger of the two largest health insurers. We helped to convince the DOJ and Nevada to require the parties to restructure the deal. (2008)

- **Premium Standard/Smithfield.** Merger of two U.S. pork packers and producers. Advocacy on behalf of the Organization for Competitive Markets, the National Farmers Union, and the UFCW in opposition to the merger. (2007)

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- **Monsanto/Delta Pine.** Merger of two agrochemical seed companies. Advocacy on behalf of the National Black Farmers Alliance in opposition to the merger. The DOJ required significant divestitures of Monsanto's cottonseed business. (2007)
- **Express Scripts/Caremark.** Merger of two pharmacy benefit managers. Advocacy on behalf of a coalition of employers, pharmacies, and consumer groups that opposed this merger. The deal was dropped after the FTC issued a Second Request. (February 2007)
- **SCI/Alderwoods.** Merger of two funeral service companies. Advocacy on behalf of the National Jewish Funeral Home Directors Association in opposition to the merger. The FTC required significant divestitures of a range of funeral home and cemetery services companies. (2006)
- **First Data/Concord.** Merger of two debit card networks. Advocacy on behalf of a coalition of retailers (including Target, K Mart and Walgreens), small banks, rival networks (Genpass and Pulse), and wire transfer services (MoneyGram) that opposed a merger of two debit card networks that potentially harmed competition in debit cards and ATM services. The DOJ and several states sued and the deal was restructured with a significant divestiture. (2004)
- **Wal-Mart/Supermercados Amigo.** Merger of a superstore with the largest grocery chain in Puerto Rico. Advocacy on behalf of a supermarket retailer in opposition to the merger. The FTC required the divestiture of several acquired grocery stores throughout Puerto Rico. (2002)

Law Offices of David Balto
1350 I Street, NW
Suite 850
Washington, DC 20005
Tel: 202-789-5424
Email: david.balto@dcantitrustlaw.com