

Justin W. Bernick

Partner

Washington, D.C.

Biography

Justin Bernick defends clients in antitrust lawsuits in state and federal courts throughout the United States. He has participated in some of the largest antitrust class actions in the country.

Justin concentrates his practice on antitrust and commercial litigation, with experience in multi-district and multi-jurisdictional litigation and consumer class actions following criminal and civil government investigations. He also represents companies in Department of Justice (DOJ), Federal Trade Commission (FTC), and state antitrust inquiries, including merger and conduct investigations.

Justin leverages his comprehensive knowledge of economics and antitrust law to achieve early success for clients at the motion to dismiss, summary judgment, and class certification stages. He litigates a wide range of antitrust and competition issues pertaining to mergers and acquisitions, allegations of price fixing, market allocation, vertical and horizontal agreements, and monopolization. Justin's deep knowledge spans various industries – life sciences and pharmaceuticals, health care, financial services, food and agriculture, and tech sectors. He was a member of the trial team in a case that was named the 2012 Litigation of the Year by *Global Competition Review*.



Phone

+1 202 637 5485

Fax

+1 202 637 5910

Email

justin.bernick@hoganlovells.com

Practices

Antitrust and Competition

Commercial Litigation

Litigation Services

Industries

Consumer

Financial Institutions

Life Sciences and Health Care

TMT

Areas of focus

Abuse of Dominance and Restrictive Practices

Justin assists companies in mitigating risk by counseling on a variety of antitrust issues, including compliance with the Sherman Act, the FTC Act, and the Hart-Scott-Rodino Act. He co-authored an Antitrust Compliance treatise published by *Bloomberg BNA*. He also assists clients in responding to subpoenas, civil investigative demands, second requests, and other government requests for information, as well as in managing complex electronic discovery matters.

Justin jumpstarted his legal career as a law clerk to the Honorable Robert G. Doumar of the U.S. District Court for the Eastern District of Virginia.

Representative experience

Represent data benchmarking company in nationwide class actions alleging price-fixing in the chicken, pork, and beef industries.

Represent multiple Blue Cross Blue Shield health insurance companies in multi-district class action alleging nationwide market-allocation and price-fixing conspiracies.

Represent PPG in antitrust claims brought by unauthorized repackager of aerospace sealant and trademark infringement counterclaims.

Represent global pharmaceutical company in government investigations and class actions alleging price-fixing and unlawful “pay for delay” patent settlements.

Represent Blue Cross Blue Shield of Rhode Island in lawsuit alleging antitrust conspiracy to prevent hospital system from entering Rhode Island.

Pro bono representation of putative classes of asylum

Antitrust and Competition Litigation
Class Actions and Group Litigation
Competition Compliance
E-discovery and Information Management
Food and Beverages
Government Investigations
Hotels and Leisure
M&A and Joint Ventures
Pharmaceuticals and Biotechnology

Education and admissions

Education

J.D., University of Virginia School of Law, 2007

B.A., University of Virginia, with distinction, 2004

Memberships

Member, Antitrust Section,
American Bar Association

Member, Litigation Section,
American Bar Association

Member, Virginia Bar Association

Bar admissions and qualifications

District of Columbia

Virginia

seekers in successful lawsuits challenging bars on asylum eligibility for separated children and central American refugees.

Represent trade associations of fertility clinics in class action alleging nationwide conspiracy to fix the price of donated oocytes.

Represent Credit Suisse in multi-district class action alleging antitrust conspiracy to increase the price of credit default swaps.

Represent Daimler Trucks (Freightliner) in multi-district class action alleging antitrust conspiracy to increase the price of truck transmissions.

Represent LabCorp in FTC investigation and subsequent federal court and administrative litigation to enjoin acquisition of rival clinical lab.

Counsel for S1 in DOJ investigation of US\$520m acquisition by ACI.

Represent Verizon in DOJ investigation of US\$3.6bn acquisition of spectrum from, and joint sales and research agreements with, cable companies.

Represent AdMob in FTC investigation of US\$750m acquisition by Google.

Court admissions

District of Columbia Court of Appeals

Supreme Court of Virginia

U.S. Court of Appeals, Fourth Circuit

U.S. District Court, District of Columbia

U.S. District Court, Eastern District of Virginia

U.S. District Court, Western District of Virginia

Awards and rankings

■ Antitrust: Cartel, *Legal 500 US*, 2018

- Antitrust: Civil litigation/class actions, Next Generation, *Legal 500 US*, 2018-2019
- Washington, D.C. Rising Star, *Super Lawyers*, 2014-2019

Latest thinking and events

- Hogan Lovells Publications
 - Reducing antitrust risk of collaborations during the COVID-19 pandemic *Antitrust and Competition Alert*
- Hogan Lovells Publications
 - Seventh Circuit deepens the circuit split on the "sham exception" to Noerr-Pennington *Antitrust and Competition Alert*
- Press Releases
 - Hogan Lovells successfully challenges policy limiting asylum to those entering the United States through ports of entry
- Press Releases
 - Hogan Lovells represents nonprofit organizations challenging new rule barring asylum eligibility for many migrants
- Press Releases
 - Hogan Lovells challenges new asylum policy
- Hogan Lovells Publications
 - Antitrust, Competition, and Economic Regulation Quarterly Newsletter - Summer 2018