



## James J. Calder

Partner

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### Practices

FOCUS: Antitrust and Competition

Antitrust and Competition Litigation

Mergers and Acquisitions

Corporate

Advertising, Marketing and Promotions

Entrepreneurial Ventures

Intellectual Property Litigation

Class Action and Multidistrict Litigation

Copyrights and Copyright Litigation

Health Care Litigation

Litigation

International Restaurant and Franchise Finance

### Industries

Aviation

Entertainment and Media Litigation

Health Care Transactions

Sports and Sports Facilities

James J. Calder is co-head of the firm's Antitrust and Competition practice. His practice focuses on mergers and acquisitions, litigation, counseling and responding to government antitrust investigations. He handles matters involving price fixing, market allocation, group boycotts and other horizontal restraints; monopolization, intellectual property licensing and other intellectual property issues; industry-wide standard setting efforts; vertical restraints; distribution issues and Robinson-Patman Act problems.

He represents parties to US and cross-border mergers and acquisitions and has done so in hundreds of transactions. His M&A work includes substantive antitrust merger analysis, Hart-Scott-Rodino and foreign merger clearance compliance, defending merger investigations and negotiating resolutions in contested merger situations. He also represents parties before the Committee on Foreign Investment in the United States in acquisitions by foreign buyers of US businesses. His antitrust work also includes the structuring and operation of domestic and international joint ventures and other collaborative efforts among competitors.

James has represented clients in more than 50 industries, including apparel, athletic equipment, aviation, banking, beer, builders hardware, chemicals, computer chip production, computer hardware and software, computer video games, consumer electronics, credit cards, education, electrical carbon products, fertilizer additives, fine art dealing, franchising, freight forwarding and logistics, health care and hospitals, industrial laundry and linen supply, insurance, medical devices, military electronics, milk, motion pictures, music publishing, newspapers, parking facility management, pharmaceuticals, radio, recorded music, reinsurance, securities trading, soft drinks, textile machinery and television.

In addition to traditional antitrust matters, James advises and represents clients on matters involving deceptive practices, misleading advertising, consumer protection and competitive tort issues.

### Memberships

- Association of the Bar of the City of New York
- American Bar Association, Antitrust Section, Section Task Force on Technology and Financial Resources, and Advisory Board of the Section's Pricing Conduct Committee



Technology

Private Client Services

Pharmaceutical and  
Life Sciences

Hospitality

### Recognition

*Chambers USA*, 2018–  
2019

Super Lawyers, New  
York, 2007–2018

International Law  
Office Client Choice  
Award, 2012–2013

### Education

JD, University of  
Virginia School of  
Law

BA, University of  
Virginia

### Bar Admissions

New York

### Court Admissions

US Supreme Court

US District Court,  
Eastern District of  
New York

US Court of Appeals,  
Second Circuit

US Court of Appeals,  
Third Circuit

US District Court,  
Southern District of  
New York

### Advisories

- CMS Issues Proposed 60-Day Rule for Reporting and Returning of Overpayments (February 21, 2012)
- CMS Issues Final ACO Regulations (November 10, 2011)
- Significant Changes Announced to the Hart Scott Rodino Premerger Notification Program (July 11, 2011)
- Important Changes to the Hart-Scott-Rodino Filing Thresholds Effective February 22 (February 1, 2010)

### Articles

- Co-author, Reverse Payments After *Actavis* (March 24, 2017)
- Co-author, The New Wave of Sales-Price Advertising Claims: What's Behind It and How to Minimize Risks, *Brand Activation Association* (November 9, 2016)
- Author, Antitrust Management of the Difficult Deal, *The International Comparative Legal Guide to: Merger Control by Global Legal Group* (December 6, 2012)
- Co-author, Air Transport 2013, *Getting the Deal Through* (October 15, 2012)
- Co-author, Air Transport 2012, *Getting the Deal Through* (September 30, 2011)
- Author, New Justice Department Attack on Most Favored Nations Clauses, *The Price Point* (Winter 2011)
- Co-author, Air Transport 2011, *Getting the Deal Through* (December 6, 2010)
- Author, A New Attack on Resale Price Maintenance? New York's Use of General Business Law 369-a, *The Price Point* (Fall 2010)
- Author, Senior Management Alert—Why Every Business Must Have an Antitrust Compliance Policy, *Financier Worldwide* (November 2009)
- Co-author, Arbitration, 24 Years After 'Mitsubishi', *New York Law Journal* (May 11, 2009)
- Co-author, Air Transport 2009, *Getting the Deal Through* (October 13, 2008)
- Recent Antitrust Developments in the Law of Joint Ventures, *The Antitrust Review of the Americas* (January 1, 2008)
- Co-author, United States Aviation Overview, *Getting the Deal Through* (October 2006)

### Books

- Co-author, *The International Comparative Legal Guide to: Merger Control 2014*, USA Chapter (2014)

### Newsletters

- Author | *Corporate & Financial Weekly Digest* (Weekly)



### **Speaking Engagements & Presentations**

- Panelist | US Antitrust Laws – Developments in its Extraterritorial Reach | Webinar (January 30, 2015)
- Presenter | Antitrust Management of the Difficult Deal: Getting a Merger of Competitors from Negotiation to Closing – What Bankers, Investors and Executives Need to Know | Chicago, Illinois (November 21, 2013)
- Moderator | American Needle: A New Stitch in Joint Venture Conduct Rules? | 59th Annual Antitrust Spring Meeting | Washington, DC (March 29–April 1, 2011)
- Speaker | M&A Antitrust—New Changes to Hart-Scott-Rodino Will Dramatically Change HSR Filing Obligations for Private Equity, Hedge Funds, Fund Managers and Other Investors | New York, New York (September 23, 2010)
- Speaker | What You Need to Know About US Antitrust Laws—A Short Overview for UK-Based Investors, Hedge Funds and Financial Services Companies | London, United Kingdom (September 14, 2010)
- Presenter | Everything You Need to Know About Antitrust in 90 Minutes: A Program for Corporate Attorneys and General Litigators | New York, New York (September 23, 2009)
- Panelist | Standard Setting Organizations - Practical Tips and Cautions for Members and Prospective Members | Washington, DC (September 24, 2008)
- Speaker | Anti-Trust Considerations | Mergers & Acquisitions Due Diligence | New York, New York (October 16–17, 2006)