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DAVID L. MEYER

Mr. Meyer is Co-Chair of the Global Antitrust and Competition Law Practice Group. He joined Morrison & Foerster from the Antitrust Division of the Department of Justice, where he served most recently as the Principal Deputy Assistant Attorney General, and prior to that as the Deputy Assistant Attorney General for Civil Enforcement.

At the Antitrust Division, Mr. Meyer was responsible for civil investigations and merger reviews in a wide range of industries, including high technology, media, manufacturing, and financial services. Among other matters, Mr. Meyer had responsibility for the Antitrust Division's investigations of the XM-Sirius merger, Monsanto's acquisition of Delta and Pine Land Company, Google's proposed advertising agreement with Yahoo!, Mittal Steel's acquisition of Arcelor, and Thomson's acquisition of Reuters.

Before joining the Antitrust Division in 2006, Mr. Meyer was a partner at Covington & Burling for 12 years and a Vice Chair of the firm's Antitrust and Consumer Protection Group. During his time at Covington, he counseled Fortune 500 corporate clients and trade associations on complex issues, including issues relating to pricing, joint ventures and alliances, e-commerce initiatives, distribution arrangements, and industry standards setting. Mr. Meyer also represented parties in connection with investigations and enforcement actions by the Antitrust Division of the U.S. Department of Justice, the Federal Trade Commission and state attorneys general, including mergers such as Exxon's acquisition of Mobil, and conduct investigations involving alleged monopolization and coordinated action; litigated private antitrust cases, including class actions and state antitrust actions such as *In re Brand Name Prescription Drug Antitrust Litigation*, *Clayworth v. Pfizer, Inc.*, *Utilimax.com, Inc. v. PPL EnergyPlus, Inc.*, and *Dial A Car v. Transportation, Inc.*; and handled railroad competition and economic-regulatory matters before the Surface Transportation Board, including merger and pooling matters, such as Union Pacific's acquisition of Southern Pacific and TTX Company's equipment pooling re-authorization proceeding.

Prior to Covington & Burling, Mr. Meyer spent two years as a special assistant to the Assistant Attorney General for Antitrust and clerked for Judge Ralph K. Winter of the U.S. Court of Appeals for the Second Circuit (1986-1987).

Mr. Meyer received his B.A. degree in Economics from Amherst College in 1983, and his J.D. from Yale Law School in 1986, where he was an editor of the

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Yale Law Journal. He has been involved in the ABA Antitrust Section Leadership since 2004, currently serving as Chair of the Trade, Sports & Professional Associations Committee, and as Member, Antitrust Litigation Course Steering Committee.

Mr. Meyer has published numerous articles over the years, including:

- *We Should Not Let the Ongoing Rationalization of Antitrust Lead to the Marginalization of Antitrust*, 15 *George Mason L. Rev.* 1175 (2008)
- *How to Address 'Hold Up' in Standard Setting Without Deterring Innovation: Harness Innovation by SDOs* (03/26/2008) (available at <http://www.usdoj.gov/atr/public/speeches>)
- *Merger Enforcement is Alive and Well at the Department of Justice* (11/15/2007) (available at <http://www.usdoj.gov/atr/public/speeches/227713.html>)
- *Some Thoughts on Non-Horizontal Merger Enforcement*, 2007 *Fordham Comp. L. Inst.* 165 (2008)
- *Section 2 Standards and Consumer Welfare: Some Lessons from the World of Merger Enforcement*, 2007 *COLUMBIA BUSINESS LAW REVIEW* 371
- *Three Tenors and the Section 1 Analytical Framework: A Continuum Drawn with Bright Lines* (with Derek Ludwin), *ANTITRUST MAGAZINE* (Fall 2005)
- *Direct Evidence of What? Republic Tobacco and the Proper Use of 'Direct Evidence' of Anticompetitive Effects*, *ANTITRUST MAGAZINE* (Spring 2005)
- *LePage's II: The En Banc Third Circuit Revisits 3M's Bundled Discounts and Sees Unlawful 'Exclusion' Instead of Above-Cost Pricing*, *THE ANTITRUST SOURCE* (July 2003)
- *The Seventh Circuit's High Fructose Corn Syrup Decision -- Sweet for Plaintiffs, Sticky for Defendants*, *ANTITRUST MAGAZINE* (Fall 2002)