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In the antitrust bar, generational strength matters.

On both sides of the Atlantic and indeed elsewhere, leaders of competition groups look at their rivals and their own practices and judge how strong their group will be – not in a year, but in a decade, when perhaps they will be attempting to chip out of a bunker or navigate some snow-packed slope. That is to say: young talent is crucial to the health of any competition group, and the more first-chair work they get as young lawyers, the brighter the future becomes.

With that in mind, *GCR* is proud to present the 2015 edition of the 40 under 40, our listing of 40 young antitrust practitioners from around the world. As with our previous four editions, this year's listing profiles young antitrust minds who have taken on leading roles within their firms, whether serving as one of the primary junior partners behind big-name rainmakers or, in some cases, as a central figure in a competition group. This year's list includes lawyers and barristers practising in countries around the globe.

In many parts of the world, international competition law enforcement has existed through generations. While major cross-border mergers and investigations may have been novel in decades past, young lawyers practising today know no other reality. Globalisation has transformed the practice just as it has transformed economy and industry.

The 40 under 40 entrants truly span the globe, from the “usual suspect” jurisdictions of the United States, the United Kingdom and Brussels, to Ukraine, Japan, Turkey and China. But suffice to say that most of the young lawyers included in the survey received at least part of their antitrust education in one of the global hubs of antitrust law.

Now in his third and final 40 under 40, Gönenç Gürkaynak, of ELİG in Istanbul, studied law at Harvard University and trained under Ian Forrester, a former White & Case partner who now sits on the bench of the European General Court. Having spent three years as an enforcer at Japan's Fair Trade Commission, new entrant Kentaro Hirayama, from Morrison & Foerster, spent time as a visiting associate at Slaughter and May

in London. And Shardul Amarchand Mangaldas & Co partner Naval Chopra trained and practised as a lawyer in London before taking on competition law matters in New Delhi.

But it's the work these lawyers have done in their home jurisdictions that has earned them a place in this year's 40 under 40. Indeed, all of the nominated lawyers have worked on major mergers, cartel investigations and dominance cases – sometimes helping to usher in their country's competition law enforcement regime. Igor Svechkar, a partner at Asters in Kiev, practises at the firm where he started his career 16 years ago, and over that time he has seen his business grow alongside Ukrainian competition law.

This year, for the first time, the 40 under 40 includes two new sections highlighting the blossoming careers of young lawyers working in-house on the competition teams inside companies and within antitrust enforcement agencies around the world. Each section includes young lawyers and economists, each of whom has taken on senior-level duties inside their companies or agencies.

Our enforcers hail from the United States, the United Kingdom, Chile, Denmark and Mexico. Each brings a different skill set to bear on a varied collection of job duties. After eight years inside the agency, Carlos Mena has done everything in Mexican enforcement, from leading the enforcer's cartels unit to directing its interactions with outside agencies as head of the institutional relation and international affairs division. He is now chief prosecutor within Cofece, and he's only 36. Meanwhile, Sheldon Mills has made a precipitous climb through the ranks of the UK's former Office of Fair Trading to now head the mergers unit at the Competition and Markets Authority. And Javier Tapia oversees it all in Chile; he's a judge on the country's competition tribunal.

Meanwhile, our eight featured in-house lawyers lead competition groups from some of the world's largest and most dynamic companies – including three from a company embroiled, seemingly constantly, in antitrust controversy: Google.



Amanda Reeves

Age:
Role:
Firm:
City:

38
Partner
Latham & Watkins
Washington, DC

Tell us about your work history

After completing two clerkships at the federal district and federal court of appeals levels, I came to Latham in 2004. I then spent a year in search of a practice that would provide great opportunities to write, learn subject-matter expertise, litigate, and counsel clients on novel issues, and found a home in the antitrust group. In 2009, I left Latham to serve as an attorney advisory to then-FTC commissioner Tom Rosch. I returned to Latham in 2011 and have been in the DC office ever since, focusing on civil government enforcement matters (mergers and conduct investigations) and private litigation.

Why did you choose to practise competition law?

When I started at Latham, I was drawn very quickly to the substantive complexities and ambiguities in US competition law and the challenges in applying that law to a dynamic and modern economy. In the US, the main competition laws are more than 100 years old. We are collectively supposed to figure out how those laws should govern technologies, innovations and conduct that no one could have imagined when Congress drafted those laws, let alone where modern economic theory would take us. That is both tremendous fun and a constant challenge. Add to that the great group of people at Latham who practise in this area in DC and around the world, and it was a no-brainer.

Who in competition was your mentor/who inspires you?

I have been incredibly lucky to grow up as a competition lawyer working with a lot of people who are real leaders in their field, including former FTC commissioner Tom Rosch, Dan Wall and Peggy Zwisler. Working as Tom's attorney advisory at the FTC was the equivalent of taking the super-advanced course in substantive antitrust law, given just how deep his own knowledge is and the extent to which he expected his attorney advisers to be able to debate novel and interesting questions in his office. Dan and Peggy are both simply one of a kind when it comes to their abilities to teach, their command of the laws and their zealous advocacy.

What competition enforcement trends do you anticipate developing by the time you are 45?

I wouldn't claim to be able to predict what competition enforcement will look like in 2022, but one thing that seems near certain is that there will continue to be significant pressure on governments and private parties to work cooperatively across international boundaries in global investigations. This is particularly true as more governments expand their own competition enforcement regimes. This can create real logistical and substantive issues, particularly when it comes to remedies given that different jurisdictions may have different legal approaches to the same factual problems. If there is not substantive convergence (and that seems harder to predict), I would at least expect that there will continue to be advancements in how governmental authorities and the parties under investigation cooperate multilaterally from day one.

What trends are developing in your jurisdiction?

The ever-evolving relationship between antitrust and IP law – and particularly in the context of the high-tech and life sciences industries – continues to be a real hot area. In the life sciences space, in particular, although we are certainly continuing to sort out the implications of the Supreme Court's decision in *Actavis* for patent settlements, we are definitely seeing a growth in other types of novel exclusionary conduct claims against innovators, including product-hopping claims and whether and to what extent branded pharma companies have a duty to deal with their generic rivals.

On the merger and conduct side, it is always interesting to see how the agencies' enforcement efforts in court shape the theories that the FTC and DoJ pursue in subsequent investigations. Following *American Express*, for example, there is no question that there continues to be a heightened interest at both agencies in MFNs, exclusive dealing, conditional pricing practices and contracts referencing rivals. In terms of merger enforcement, we continue to see both US agencies looking very closely at whether the merging parties can be cast as each other's closest competitors, which can certainly make things more challenging when they are, but can also enable a speedier clearance when they are not.

“Find someone who you want to work with and figure out how to become indispensable to them”

What advice would you give to those starting out in competition law?

First, even if it is not explicitly asked of you early on, take an interest in and become a master of substantive competition law in whatever field you are working in (class actions, mergers, cartels, etc).

Second, don't be afraid to ask questions. This can be an extremely challenging area of law and it would be crazy for someone who is starting out not to have a lot of questions about both process and substance; I still have a thousand questions to this day about why things are the way they are and whether they should be different.

Finally, find someone who you want to work with and figure out how to become indispensable to them. That will almost certainly pay off if your goal is to be the person they turn to for great opportunities.

What firm do you admire from afar?

Mattos Filho in Brazil. We continue to partner with them on a number of large and challenging mergers and I am always impressed by the quality of the lawyering we see when we work with them.

Aside from competition law, what do you enjoy doing?

I enjoy playing with my four-year-old boy and 15-month-old girl, who, along with my terrific husband, are the best company ever. When I am not spending time with them, I like to go for a long run.