



## *Steven F. Cherry*

**PARTNER**

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WASHINGTON DC  
+ 1 202 663 6321  
STEVEN.CHERRY@WILMERHALE.COM

Steven F. Cherry has over 30 years of experience successfully representing companies and individuals in government investigations and complex litigation, class actions and arbitration. He has particular expertise defending companies and individuals in antitrust criminal investigations and civil litigation. He also has worked closely with local counsel in representing clients before government agencies and in private litigation around the world. According to *Chambers USA*, he is widely recognized by his peers as “an exceptional lawyer” and “phenomenal practitioner” and “unquestionably the best antitrust lawyer in town,” who “commands huge respect in the antitrust area and is particularly noted for his experience in international cartel and grand jury investigations.”

### *Professional Activities*

Mr. Cherry is the author of numerous publications (including an upcoming book on cartel enforcement and litigation), and has spoken at numerous bar events, private industry and other seminars (including before various foreign agencies), on cartel investigations and litigation, class actions and arbitration.

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### *Solutions*

Antitrust and Competition

Litigation  
Trials

Antitrust Litigation

Class Actions

Government and Regulatory  
Litigation

Commercial Litigation

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## *Experience*

### **ANTITRUST INVESTIGATIONS**

Mr. Cherry has been featured in various publications for his work on some of the largest and most complex antitrust (cartel) investigations and litigation in history. He has been lead counsel in defense of numerous international cartel investigations involving various industries, including Generic Pharmaceuticals, Auto Parts, Container Shipping, Vehicle Carrier (Ro-Ro) Shipping, Freight Forwarding, TFT-LCD Flat Panels, Flash Memory, Parcel Tanker Shipping Services, various chemicals, financial services, and other products and services—including defense of Antitrust Division investigations, state attorneys general investigations, and coordination of foreign proceedings. He has successfully persuaded enforcement agencies to close investigations without taking enforcement action, has negotiated the largest reduction in criminal antitrust fine in US history, and successfully navigated clients through some of the most complex leniency/amnesty applications in history.

### **CLASS ACTIONS**

Lead counsel in defense of numerous class actions, including those involving antitrust and other competition-related claims, as well consumer protection, securities, ERISA, and other business and commercial claims. Has defeated numerous class actions, including following evidentiary hearings. Won landmark Second Circuit ruling in Parcel Tanker Shipping case, requiring arbitration of direct purchaser antitrust claims, and subsequently won landmark US Supreme Court ruling rejecting class arbitration where the contracts were silent on class arbitration.

### **OTHER LITIGATION**

- Defended (and in other cases prosecuted) numerous non-cartel antitrust disputes (e.g., monopolization, predatory pricing and tying), as well as numerous business disputes (e.g., breach of contract, tortious interference with contract, indemnification, etc.) in litigation and in arbitration.
- Defended plan fiduciaries and investment firms in multi-million dollar ERISA cases.
- Defended natural gas company in corporate-control litigation involving claims in excess of \$2 billion arising out of failed merger.
- Defended private equity firm in arbitration of \$100 million plus contract dispute with former partner.
- Represented managed care organization in arbitration of \$45 million contract dispute against pharmacy benefits management firm.
- Defended former bank chairman and CEO in arbitration of \$30 million dispute with former executive involving fraud and other claims.
- Represented European distributor of healthcare products in multi-million dollar litigation against US manufacturer.

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## *Recognition*

- Awarded Global Competition Review's 2017 award for Litigation of the Year: Cartel Defense for class action defense of DENSO Corporation.
- Recognized in the 2015–2024 editions of *Chambers Global: The World's Leading Lawyers for Business* for Antitrust and Cartel.
- Named in the 2015–2023 editions of *Chambers USA: America's Leading Lawyers for Business* nationwide and in the District of Columbia for Antitrust (Cartel) ("unquestionably the best antitrust lawyer in town," "reasonable, persuasive and practical," "exceptional," "phenomenal practitioner," "commands huge respect in the antitrust arena and is particularly noted for his experience in international cartel and grand jury investigations," "very talented, extremely smart, responsive and creative," "with a well-earned reputation for getting a very good resolution for his client").
- Regularly recognized in *The Legal 500 United States* for his antitrust cartel practice.
- Named a 2015-2024 *Benchmark Litigation* "Litigation Star."
- *U.S. News* Media Group Ranking of Best Law Firms ("extremely smart and strategic," "outstanding expertise and superb skills," "highly dedicated," "best out of the best lawyers in this area").
- Selected to the 2021–2024 Washington DC *Super Lawyers* lists as a top-rated lawyer in antitrust litigation, and to the 2019 and 2020 lists for business litigation.
- Named to the Lawdragon 500 Leading Litigators in America list.

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## Credentials

### EDUCATION

JD, University of Michigan Law School, 1989

*cum laude*

*Note Editor, Michigan Law Review*

MPA, Indiana University, 1986

BS, Indiana State University, 1983

### ADMISSIONS

Virginia

District of Columbia

Illinois

### CLERKSHIPS

The Hon. Robert R. Beezer,  
US Court of Appeals for the  
Ninth Circuit, 1989 - 1990