
Merger Clearance

Antitrust and Competition

WilmerHale has secured clearance for hundreds of mergers, acquisitions and joint ventures in the United States and Europe, and from agencies around the world, including in some of the largest and most complex mergers in recent years. We have also successfully opposed mergers. Our lawyers appear regularly before antitrust and competition authorities in the United States and Europe and have a deep understanding of those agencies. We also have extensive experience with antitrust regulators in China, and rely on a network of established relationships with top antitrust counsel in jurisdictions where we do not have offices, ensuring consistent quality and seamless service around the globe.

Our senior lawyers have direct involvement in merger cases. Clients benefit from their wealth of experience, judgment, understanding of business needs and common sense. Our experience with a broad range of government agencies offers additional insight and capabilities to assist in all aspects of the merger clearance process. For matters likely to attract congressional attention or foreign investment review, our antitrust lawyers routinely work with lawyers in the firm's leading policy, government affairs and national security practices in the United States, Europe and China to help clients in addressing agency interest in major merger matters.

Experience

Guiding three major Japanese container shipping carriers in the US and EU antitrust reviews of their 1,440,000-TEU joint venture, Ocean Network Express.

Represented Regal Entertainment Group in its agreement with Cineworld Group PLC, the UK's largest cinema operator, to acquire Regal, a leading motion picture exhibitor owning and operating one of the largest theater circuits in the United States, for \$3.6 billion.

Advised an agriculture biotechnology company on its proposed \$62 billion acquisition by a major pharmaceutical company.

Guided global oilfield service provider Baker Hughes in a worldwide merger review of a proposed \$35 billion acquisition by Halliburton, including securing one of the largest breakup fees ever paid, and subsequently on the \$32 billion combination with GE Oil & Gas.

Represented TUI, the world's largest travel company, in merger control proceedings before the European Commission and the German Federal Cartel Office related to the restructuring of Germany's second largest airline.

Advised a leading US physician services provider in its \$8 billion merger of equals with a major competitor, and previously on a \$680 million acquisition of a major US private ambulance service provider.

Represented Danaher Corporation in merger control proceedings in various jurisdictions (including in the United States and Germany) concerning its \$4 billion acquisition of molecular diagnostics company Cepheid, and previously in its \$14 billion acquisition of Pall Corporation, \$2.6 billion merger with NetScout, and \$6.8 billion merger with Beckman-Coulter.

Represented several global energy companies in German merger control proceedings concerning their planned formation of a joint venture for the construction and operation of the Nord Stream 2 offshore-pipeline connecting Russia and Germany (with an investment of around \$10 billion).

Represented one of Germany's largest utility companies in merger control proceedings concerning its acquisition of VNG, one of Germany's largest natural gas suppliers.

Advised International Paper in its \$4.5 billion acquisition of Temple-Inland, its subsequent \$710 million sale of its building products division to Georgia-Pacific, and its \$2.2 billion acquisition of the pulp assets of Weyerhaeuser.

Represented Cisco in obtaining clearance in both the United States and the EU for its \$3 billion acquisition of Tandberg, a matter repeatedly cited by US and European Commission officials as a primary example of transatlantic cooperation.

Obtained Federal Trade Commission clearance for Millennium Pharmaceuticals for its \$8.8 billion sale to Takeda—the largest overseas acquisition by a Japanese drug firm.

Represented StatoilHydro in its acquisition from ConocoPhillips of the JET petrol station network in Sweden and Denmark (an EU Phase 2 case involving extensive econometric assessments and remedies), and previously in obtaining EU approval of its \$30 billion merger with the petroleum activities of Norsk Hydro.