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**Areas of Practice**

Antitrust & Competition

Cartel/Price-Fixing

Complex Litigation

EU Competition

Intellectual Property

IP Litigation

Litigation

Mergers & Acquisitions

US Antitrust

**Education**

University of Michigan Law School, J.D., *cum laude*, 1972

University of Kentucky, B.A., *cum laude*, 1967, Departmental Honors in Philosophy; Phi Beta Kappa

**Bar & Court Admissions**

District of Columbia

**Robert Fleishman**

Robert Fleishman is a partner in the Brussels office of Steptoe & Johnson LLP, where he is a member of the Regulatory & Industry Affairs Department and Intellectual Property group. Prior to joining the firm, Mr. Fleishman served at the Federal Trade Commission as a trial attorney in the Bureau of Competition and as Attorney Advisor to Commissioner Elizabeth Dole.

**Mergers and Acquisitions**

Mr. Fleishman has significant experience in all antitrust aspects of strategic corporate acquisitions and mergers. This begins with internal asset redeployment planning. It extends through structuring the Hart-Scott-Rodino Premerger Notification process—and includes negotiating movement of a matter through agency review at the US Justice Department or the Federal Trade Commission and, when necessary, defending a proposed acquisition at trial in a federal court or administrative proceeding.

Mr. Fleishman has served as lead antitrust counsel in numerous transactions in a wide variety of industries. He has represented both domestic and off-shore firms, whether acquiring or acquired. Often these acquisitions involve the challenge of combining operating assets or companies seen as competitors or potential competitors, or which stand as customers and suppliers.

**Criminal Defense and Complex Civil Litigation**

A substantial portion of Mr. Fleishman's practice focuses on representation of corporations and individuals under investigation for possible criminal violations of the Sherman Antitrust Act.

In addition to defense of those who may be "subjects" or "targets" of federal criminal grand jury proceedings conducted by US Justice Department attorneys, Mr. Fleishman has significant experience in coordinating such defenses (including post-indictment trial defenses) with the related complex civil litigation which often arises as a grand jury investigation proceeds. Mr. Fleishman has served as lead counsel to principal defendants in such cases—simultaneously defending multidistrict civil treble-damage actions, while participating in the defense of parallel criminal matters. In this setting, Mr. Fleishman has significant experience both in federal and state class action cases. These cases, if certified as class actions, often present aggregated potential damage claims in excess of \$100 million. The federal cases ordinarily involve practice before the Judicial Panel for Multidistrict Litigation, as well as federal courts throughout the country.

**Business Counseling**

Mr. Fleishman's antitrust practice includes business counseling in a wide variety of contexts. In addition to acquisition planning, Mr. Fleishman advises companies regarding various international trade strategies involving competition policy. He also provides antitrust advice with respect to technology licensing,

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distribution and franchising agreements and joint ventures. Further, Mr. Fleishman counsels trade associations and agricultural cooperatives in antitrust matters.

### Noteworthy

- Recommended by *Legal 500 EMEA* for Competition 2011 and 2012
- Listed in Washington, DC, *Super Lawyers 2007* for Antitrust Litigation

### Selected Publications

Antitrust Client Advisory - The Supreme Court's Linkline Decision: Further Limits On Section 2 Of The Sherman Act  
March 10, 2009

Antitrust Client Advisory - New HSR Thresholds and Penalties  
January 15, 2009

Some Observations on the Plea-Bargaining Experience in US Criminal Antitrust Enforcement and Its Relevance in the European Context  
June 29, 2007

Merger Control  
International Comparative Legal Guide  
September 30, 2004, *Global Legal Group*

Antitrust & Competition Update  
May 10, 2002

### Professional Affiliations

American Bar Association, Antitrust Section