

Jonathan B. Pitt

Partner

Jonathan B. Pitt is Co-Chair of Williams & Connolly's Antitrust practice group. He handles a wide variety of complex civil and criminal trial and appellate matters involving the antitrust laws, the federal securities laws, the Foreign Corrupt Practices Act, the Lanham Act, and RICO.

In the field of antitrust law, Mr. Pitt successfully represented Google in connection with the FTC's highly publicized investigation into online search and search advertising, and a pharmaceutical manufacturer in connection with the first class action antitrust trial involving "pay-for-delay" claims after Supreme Court's decision in *FTC v. Actavis* (resulting in a complete defense verdict). He has successfully defended individuals against charges of price-fixing, and a major motion picture studio against claims of monopolization and tying; served as antitrust counsel to major trade associations on issues such as standard-setting and denials of membership; has represented corporations in matters before the Federal Trade Commission; and was actively involved in the firm's representation of the nine non-settling plaintiff States in the *Microsoft* antitrust case.

In other areas, Mr. Pitt has successfully represented a group of corporate executives in lawsuits alleging wrongful termination and shareholder derivative claims; has secured dismissals from multiple U.S. jurisdictions, on *forum non conveniens* grounds, of a major tort action based upon events allegedly occurring in Latin America; and has conducted internal corporate investigations into allegations of wrongdoing under the Foreign Corrupt Practices Act, the federal False Claims Act, the anti-kickback laws, and the Food, Drug, and Cosmetic Act. He has also secured the dismissal of civil RICO and Lanham Act claims in the Southern District of New York and the Second Circuit (where he successfully argued the appeal on behalf of his client); and has litigated several highly contested and sensitive private disputes for individual clients, involving considerable assets.

Mr. Pitt also participates in the firm's pro bono practice, having successfully represented an impecunious plaintiff in an NASD arbitration against a Wall Street bank (obtaining a payment thirty-three times the size of the bank's initial settlement offer); and having successfully defended a local small-business owner against a lawsuit that threatened to destroy the business. Mr. Pitt also supervises associates in the firm's family-law and landlord-tenant pro bono cases.

Born in Washington, D.C., Mr. Pitt grew up there and in the Maryland suburb of North Potomac. He received both his B.A., *magna cum laude*, in 1994 and his Master of Government Administration in 1999 from the



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Education

Yale Law School, J.D., 2000: Notes Editor, Yale Law Journal; Articles Editor, Yale Law & Policy Review; William K.S. Wang Prize, 1999-2000
University of Pennsylvania, M.G.A., 1999
University of Pennsylvania, B.A., magna cum laude, 1994

Practice Focus

Antitrust
Civil Litigation and Trial Practice
Commercial Litigation
Criminal Antitrust
Criminal Defense and Government Investigations
Directors and Officers Liability
Financial Services and Banking
Health Care Fraud
Securities Enforcement
Securities Litigation
State Attorneys General Investigations
Supreme Court and Appellate Litigation
Trademark and Copyright

University of Pennsylvania. After college, Mr. Pitt joined the Philadelphia Mayor's Office of Planning and Policy and was Assistant Deputy Mayor for Policy and Planning under Mayor Ed Rendell before leaving in 1997 for Yale Law School, where Mr. Pitt received his J.D., and was Notes Editor, *Yale Law Journal*, and Articles Editor, *Yale Law and Policy Review*. Mr. Pitt joined Williams & Connolly in 2001 after serving as law clerk to Chief Judge Ralph K. Winter of the U.S. Court of Appeals for the Second Circuit.

Mr. Pitt is an adjunct professor at Georgetown University Law Center, where he has been teaching antitrust law since 2005, and has served on the Yale Law School Association Executive Committee and the Board of Trustees of the Studio Theater in Washington, D.C. He currently serves as Chair of the Board of Directors of the Studio Acting Conservatory. He is proficient in Spanish.

Representative Experience

- Representing CVS and Aetna in connection with their merger in the first-ever Tunney Act evidentiary hearing, before the U.S. District Court for the District of Columbia
- Representing CVS in a trio of antitrust lawsuits in federal court in Miami, Tampa, and San Antonio alleging an illegal tie of pharmacy services to 340B administrator services
- Representing a biotechnology company in an antitrust lawsuit alleging generic blocking, before the U.S. District Court for the District of New Jersey
- Representing a company in an ongoing nonpublic DOJ price-fixing/output-restraint investigation
- Represented pharmaceutical manufacturer in antitrust class action involving claims "pay-for-delay" claims; case resulted in defense verdict
- Represented tech company in FTC investigation related to alleged internet search practices; FTC closed investigation without enforcement action
- Represented multinational media company in FCPA investigation relating to alleged conduct in Europe; government issued declination letter
- Represented former New York Stock Exchange Chairman and CEO in civil action brought by New York Attorney General challenging reasonableness of compensation; case resulted in dismissal of all claims

Recognitions

"Future Star," *Benchmark Litigation*, 2020

"Legal Lion," *Law360*, January 2019

Admissions

District of Columbia

New York

United States Supreme Court

United States Court of Appeals for the
Second, Fifth, and Ninth Circuits

United States District Court for the

Southern District of New York,

Eastern District of New York,

District of Columbia and District of

Maryland

- Represented multinational media company in civil litigation regarding “phone hacking” controversy involving UK tabloids; case resulted in dismissal of all claims
- Represented dairy cooperative in multiple antitrust class actions involving monopoly, monopsony, and price-fixing claims
- Represented major motion picture studio in class action alleging no-poach agreements
- Served as antitrust counsel to several major trade associations
- Represent manufacturers in antitrust case alleging group boycott of dealer

Resources

Publications

- *Fragmenting Procreation*, May 1999
- *The Two Faces of Gag Provisions: Doctors and Patients in a Bind*, 1999
- *The Myth of Presumed Consent: Ethical Problems in New Organ Procurement Strategies*, April 1995

Presentations

- *Choosing and Hiring an Economic Expert*, September 2016