

Michael E. Martinez

Managing Partner, Chicago Office

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OVERVIEW

Michael E. Martínez concentrates his practice on multi-district class actions and arbitrations involving a wide spectrum of antitrust and complex commercial litigation issues. Michael has represented numerous global and domestic corporations in a wide variety of federal and state court cases involving antitrust claims under Sections 1 and 2 of the Sherman Act and the Robinson-Patman Act as well as unfair competition and deceptive trade practice claims under numerous state statutes. Michael regularly counsels clients on competition, mergers and acquisitions, distribution, and sales and marketing practices.

Michael has substantial experience seeking and defending emergency injunction matters involving false advertising, trade secrets, covenants not to compete and unfair competition. He has successfully argued before the Seventh Circuit Court of Appeals and obtained immediate injunctive relief for clients in antitrust, franchising and intellectual property cases.

Michael has represented successfully numerous national and international franchisors and manufacturers in a myriad of franchising and distribution issues. He has substantial experience counseling both domestic and international clients regarding distribution and licensing arrangements.

Michael has been recognized as America's Top 100 Bet the Company Litigators in antitrust and class action defense and selected to the Illinois Super Lawyers list for Antitrust Litigation. He was recently also recognized by *Chambers USA* in their 2024 guide.

Michael is also the Managing Partner of the Chicago office of K&L Gates and a member of the firm's Management Committee. He is also the Chair of the Chicago Committee on Minorities in Large Law Firms, one of the largest and oldest organizations focused on the advancement of diverse lawyers in Chicago.

ACHIEVEMENTS

- Recognized by *Chambers USA* for Antitrust in Illinois, 2022-2026
- Named to the *Lawdragon* 500 Leading Litigators in America, 2023-2025

SPEAKING ENGAGEMENTS

- “Business Risks and Mitigation Strategies for Japanese Companies in an Era of Increased Antitrust Enforcement,” K&L Gates Event, Chiyoda-ku, Tokyo, September 2016 (co-presenter)
- "Business Risks and Mitigation Strategies in an Era of Increased Antitrust Enforcement," K&L Gates Event, Chicago, November 2015 (co-presenter)

EDUCATION

- J.D., University of Wisconsin Law School, 1997 *(Moot Court Board; Semi-Finalist and Best Brief Award, National Administrative Law Moot Court Competition)*
- B.A., Purdue University, 1994

ADMISSIONS

- Bar of Illinois
- United States Court of Appeals for the Seventh Circuit
- United States Court of Appeals for the Third Circuit
- United States District Court for the Eastern District of Michigan
- United States District Court for the Eastern District of Wisconsin
- United States District Court for the Northern District of Illinois

THOUGHT LEADERSHIP *POWERED BY HUB*

- 10 February 2025, January 2025 Accolades
- 26 January 2021, Department of Justice Brings First-Ever Criminal Charges for Alleged Anticompetitive Conduct in Labor Markets
- 27 January 2020, Competition in U.S. Labor Markets: Non-Compete Clauses Increasingly Under Fire
- 23 January 2020, Antitrust Agencies Release Draft Vertical Merger Guidelines
- 25 July 2019, Got An Antitrust Compliance Program?
- 19 March 2019, DOJ Antitrust Division Provides Additional Insight on Its Analysis of No-Poach Agreements that May Be Subject to Criminal Prosecution
- 19 July 2018, Merger Parties Beware: ACCC Commences First Gun Jumping Cartel Prosecution
- 24 May 2018, “A Prescription for Competition”: DOJ Antitrust Division Affirms Its Enforcement Focus on the Healthcare Industry

OTHER PUBLICATIONS

- Co-author, "Ninth Circuit: Apple Case Leads to Additional Clarity on Section 1 Claims," GCR US Courts Annual Review, Ch. 7 (4th ed.), 2023
- "U.S. Courts Annual Review, Ninth Circuit," *Global Competition Review*, 6 July 2020 (co-author)

NEWS & EVENTS

- 4 June 2026, K&L Gates Receives Nearly 235 Firm, Individual Rankings in 2026 *Chambers USA* Guide
- 5 June 2025, K&L Gates Receives More Than 240 Firm, Individual Rankings in 2025 *Chambers USA* Guide
- 15 October 2024, K&L Gates Expands Asset Management and Investment Funds Practice With Chicago Partner Addition
- 6 June 2024, K&L Gates Receives More Than 200 Firm, Individual Rankings in 2024 *Chambers USA* Guide
- 10 January 2024, K&L Gates Adds Litigation and Dispute Resolution Lawyer to Chicago Office
- 28 November 2023, K&L Gates Expands Asset Management and Investment Funds Practice With Chicago Partner Addition
- 26 June 2023, K&L Gates Strengthens Asset Management and Investment Funds Practice With Chicago Partner Addition
- 1 June 2023, K&L Gates Receives Firm, Individual Rankings in 2023 *Chambers USA* Guide
- 2 May 2023, Real Estate and Construction Partner Joins K&L Gates' Chicago Office
- 26 September 2022, K&L Gates Secures Victory for Koch Foods in Criminal Price-Fixing Case
- 1 June 2022, K&L Gates Receives Firm, Individual Rankings in 2022 *Chambers USA* Guide
- 1 October 2021, COVID-19 Best Practices for Bar Associations, hosted by Chicago Bar Association
- 22 September 2021, K&L Gates Further Strengthens Intellectual Property Practice With Addition of Seasoned Litigation Partner in Chicago
- 18 March 2021, K&L Gates Adds Pair of International Tax Partners in Chicago Office
- 25 June 2020, K&L Gates Intellectual Property Partner Elected to Board of Managers of The Chicago Bar Association
- 2 April 2020, K&L Gates Boosts Chicago Office with IP Litigation Partner Addition
- 28 October 2016, K&L Gates Welcomes Chicago Energy and Infrastructure Partner
- 30 August 2016, K&L Gates Continues Investment Management Practice Growth With Chicago Partner Addition

- 17 May 2016, K&L Gates Adds Labor & Employment, Litigation Partner in Chicago

OTHER MEDIA MENTIONS

- Mentioned, “Notable Leaders in Accounting, Consulting, and Law 2024,” *Crain's Chicago Business*, 9 September 2024
- Quoted, “Pierre Cardin, Licensee May Have Breached Competition Law, Says EU Regulator,” *The Fashion Law*, 31 July 2023
- Mentioned, “T-Mobile Says Suit Challenging $26B Merger Lacks Standing,” *Law360*, 7 December 2022
- Mentioned, “T-Mobile Drops Bid To Pause Private Merger Suit,” *Law360*, 13 December 2022
- Mentioned, “CALIFORNIA: Parties Seek to Modify Sealing Procedures,” *Class Action Prospector*, 16 January 2023
- Mentioned, "T-Mobile's Transfer Request Denied In Antitrust Class Suit Over Merger With Sprint," *Lexis Legal News: Mealey's Daily News Update*, 19 October 2022
- Mentioned, "Subscribers Fight T-Mobile's Bid To Transfer Merger Case," *Law360*, 20 September 2022
- Mentioned, "DOJ Drops Criminal Price-Fixing Case Against Chicken Cos.," *Law360*, 15 September 2022

AREAS OF FOCUS

- Antitrust and Competition
- Commercial Disputes

INDUSTRIES

- Life Sciences

REPRESENTATIVE EXPERIENCE

- Co-lead counsel for a global energy trading company and its U.S. subsidiary in a series of 25 federal class actions and a civil action by the California Attorney General involving allegations of market manipulation and violations of the antitrust and unfair competition laws stemming from trading activity in the California gasoline spot market.
- Lead defense counsel for a Japanese corporation and its U.S. subsidiary in a series of class actions and direct actions alleging an industry-wide conspiracy to fix the prices and reduce output of capacitors filed in the wake of criminal investigations by various government competition authorities across the globe.
- Lead defense counsel for a generic pharmaceutical company in a series of 100+ class and direct action cases alleging price-fixing across the generic drug industry and in actions brought by 48 U.S. Attorney Generals.

- Lead defense counsel for a Japanese auto parts manufacturer and its U.S. subsidiary in a series of class action cases alleging a conspiracy to fix prices for the sale of automotive wire harnesses.
- Lead counsel representing an international pharmaceutical company in a DOJ price fixing investigation.
- Lead counsel defending a large food commodities manufacturer in an antitrust investigation by the Department of Justice.
- Defended a global railway manufacturer in a series of class action cases alleging a conspiracy among competitors to not solicit or poach employees.
- Co-lead trial counsel for a global food manufacturer in a high-profile Lanham Act false advertising trial.
- Lead counsel on behalf of a global beverage manufacturer in a multi-week AAA arbitration involving dealership terminations.
- Successfully defended a pharmaceutical company in federal and state lawsuits involving allegations of false advertising and violations of numerous state unfair trade practice and consumer fraud statutes and the application of FDA regulations.
- Co-lead counsel on behalf of a major agricultural equipment manufacturer in a multi-week international ICC arbitration regarding the termination of a foreign dealer.
- Represented a global manufacturer in multi-district antitrust class actions emanating from an investigation initiated by the U.S. Department of Justice involving claims of global price fixing conspiracy involving foundry resins.
- Represented a global agricultural equipment manufacturer in multi-district antitrust, consumer fraud, and RICO class actions involving lawnmower horsepower.
- Represented a Fortune 100 corporation in multi-district antitrust class actions involving claims of price fixing and monopsony.
- Represented a Fortune 100 corporation in nearly 100 lawsuits alleging violations of the Robinson-Patman Act.
- Represented a global construction equipment manufacturer in an international ICC arbitration regarding a joint venture.
- Represented a major medical supplier in patent infringement case resulting in a multimillion dollar verdict against the largest manufacturer of hemodialysis machines.
- Defended a leading pharmaceutical company in a multi-district class action involving antitrust and RICO claims.
- Represented a global restaurant franchisor in numerous federal and state court cases and arbitrations involving franchisee terminations, antitrust claims, and trademark disputes.