



Lauren Norris Donahue

Partner

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OVERVIEW

Lauren Norris Donahue is a partner in the firm's antitrust, competition & trade regulation and investigations, enforcement and white collar practice groups. She focuses her practice on domestic and international internal investigations, corporate criminal defense, complex commercial litigation, and antitrust counseling. Lauren has extensive experience representing clients in international and domestic cartel and fraud investigations and related class actions. Her cases involve a wide range of issues, including price-fixing, market allocation, bid-rigging, no-poach agreements, monopolization, fraud, unfair competition and other restraints of trade. Lauren has conducted numerous domestic and global internal investigations for major corporations across a variety of industries. She regularly defends corporations and individuals who are subjects of federal and state grand jury subpoenas, cross-border investigations and enforcement proceedings. She has also successfully represented international and U.S. companies in complex commercial litigation, particularly in antitrust class actions and multidistrict litigation.

In addition to cartel investigations and litigation, Lauren routinely counsels clients on a wide array of antitrust and competition issues, including antitrust compliance and best practices to help companies develop and enhance their compliance policies to try and prevent antitrust problems. Lauren also advises the firm's health care clients on a variety of antitrust and competition issues, including competitor collaborations, information exchanges, group purchasing arrangements, hospital and physician group acquisitions, joint ventures and clinical integration. Lauren has also helped guide the firm's clients through U.S. and international merger clearance, and advises on a number of antitrust issues related to both horizontal and vertical mergers.

Since 2018, Lauren has been recognized as a leading antitrust practitioner in Illinois by *Chambers USA*. Lauren is regularly selected by her peers as a "Rising Star" in Illinois for Antitrust Litigation, and is recognized as an Emerging Lawyer in the areas of Antitrust Law and Criminal Defense Law: White Collar by the Leading Lawyers publication. The K&L Gates antitrust and competition group has been recognized by *Chambers USA* for Antitrust in Illinois (2020), by US News-Best Lawyers: First-Tier Antitrust Law (2017-2020) and as the "Cartel & Trade Regulation Law Firm of the Year in Illinois" by the international review and assessment programs of both Corporate INTL Magazine and Global Law Experts (2016). Lauren is a frequent author and speaker on numerous topics relating to antitrust, government investigations and compliance issues.

Lauren's commitment extends to providing pro bono legal services, and she has successfully represented several individuals seeking asylum in the United States. She is also actively involved in the firm-wide Women in the Profession group, and is the chair of the Chicago office's Associate Development Committee.

PROFESSIONAL BACKGROUND

Lauren was a summer associate at Bell, Boyd & Lloyd in 2006. During law school, she was a judicial extern to the Honorable Ronald Guzman of the United States District Court for the Northern District of Illinois. Also, she was a law clerk for a small insurance defense firm in Chicago throughout law school.

ACHIEVEMENTS

- Listed by *Chambers USA* as an "Up and Coming" lawyer for Antitrust in Illinois, 2018-2020
- Named an "Illinois Rising Star" in the area of Antitrust Litigation by Super Lawyers (Thomson Reuters), 2015-2019
- Named an "Emerging Lawyer" in the areas of Antitrust Law and Criminal Defense Law: White Collar by Leading Lawyers, 2015-2019

PROFESSIONAL / CIVIC ACTIVITIES

- American Bar Association, Antitrust Section and Young Lawyers Division
- Chicago Women in Antitrust Network, Co-Chair
- Illinois Bar Association, Antitrust & Unfair Competition Law Section (Council Member)
- Loyola University Chicago School of Law Young Alumni Events Committee Member

SPEAKING ENGAGEMENTS

- "Antitrust Compliance: Developments, Best Practices and New Approaches," The 33rd Annual Antitrust and Consumer Protection Seminar, Seattle, WA, 2 November 2016 (co-presenter)
- "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)
- "Cartel and Criminal Practice Update," ABA Section of Antitrust Law, Cartel and Criminal Practice Committee, March 2015
- "Federal and State Regulation of Food," Feeding America, Chicago, January 2009 (co-presenter)

EDUCATION

- J.D., Loyola University Chicago School of Law, 2007 (*cum laude*; *Loyola University Chicago Law Journal*)
- B.A., University of Illinois, 2004 (*cum laude*)

ADMISSIONS

- Bar of Illinois
- United States District Court for the Northern District of Illinois

THOUGHT LEADERSHIP POWERED BY HUB

- October 2021, Antitrust Earthquake! What corporate M&A attorneys need to know about recent developments in antitrust merger enforcement (*Webinar*)
- 26 January 2021, Department of Justice Brings First-Ever Criminal Charges for Alleged Anticompetitive Conduct in Labor Markets (*Alerts/Updates*)
- 23 April 2020, COVID-19: Will Today's COVID-19 Distressed Businesses Become Tomorrow's Antitrust-Cured Acquisition Targets? (*Alerts/Updates*)
- 20 April 2020, COVID-19: Price Gouging Enforcement in the United States - Key Considerations (*Alerts/Updates*)
- 20 April 2020, COVID-19: Another Warning from the U.S. Antitrust Agencies – Anticompetitive Conduct in Labor Markets Risks Criminal and/or Civil Liability (*Alerts/Updates*)
- 25 March 2020, COVID-19: COVID-19 Crisis Increases Risk of Antitrust and Price Gouging Violations: Practical Guidance and Mitigation Strategies (*Alerts/Updates*)
- 12 March 2020, COVID-19: Warning from the U.S. Department of Justice: Remain Compliant with Antitrust Laws During Coronavirus (COVID-19) Crisis (*Alerts/Updates*)
- 5 February 2020, Antitrust Agencies Release Draft Vertical Merger Guidelines: A Healthcare Perspective (*Alerts/Updates*)
- 27 January 2020, Competition in U.S. Labor Markets: Non-Compete Clauses Increasingly Under Fire (*Alerts/Updates*)
- 23 January 2020, Antitrust Agencies Release Draft Vertical Merger Guidelines (*Alerts/Updates*)
- 14 November 2019, Government Contractors Beware: DOJ Announces Creation of Interagency Procurement Collusion Strike Force (*Alerts/Updates*)
- 25 July 2019, Got An Antitrust Compliance Program? (*Alerts/Updates*)

- 16 May 2019, DOJ Revises Corporate Compliance Guidance Calling Attention to Three Areas Where Most Companies Fall Short: Risk Assessments, Compliance Culture, and Continuous Compliance Program Improvement (*Alerts/Updates*)
- 19 March 2019, DOJ Antitrust Division Provides Additional Insight on Its Analysis of No-Poach Agreements that May Be Subject to Criminal Prosecution (*Alerts/Updates*)
- 9 October 2018, “Modernizing Merger Reviews”: DOJ Antitrust Division Aims to Shorten Time and Increase Efficiencies of Merger Reviews with Process Changes (*Alerts/Updates*)
- 24 May 2018, “A Prescription for Competition”: DOJ Antitrust Division Affirms Its Enforcement Focus on the Healthcare Industry (*Alerts/Updates*)
- 31 January 2018, Assistant Attorney General Announces that DOJ Antitrust Division is Building Criminal Cases Against Companies for Anti-Poaching Agreements (*Alerts/Updates*)
- 13 September 2017, Warning from the U.S. Antitrust Agencies: Remain Compliant with Antitrust Laws During Post-Hurricane Harvey and Irma Relief Efforts (*Alerts/Updates*)
- 11 November 2016, HR Professionals Beware: Antitrust Violations in the Employment Arena May Subject Employers and their HR Personnel to Criminal Prosecution (*Alerts/Updates*)
- 12 October 2016, Giving Weight to the Failing Firm Defense, FTC Consents to Physician-Services Merger with Caveats: Suspend Enforcement of Non-Competes and Make Departure Payments to Exiting Physicians Creating or Joining Competing Practices (*Alerts/Updates*)

OTHER PUBLICATIONS

- “U.S. Courts Annual Review, Ninth Circuit,” *Global Competition Review*, 6 July 2020 (co-author)
- “Mitigating Antitrust Risks with DOJ-FTC Pandemic Guidance,” *Competition Law360*, 31 March 2020 (co-author)
- “HR Professionals Beware: Antitrust Violations in the Employment Arena May Subject Employers and their HR Personnel to Criminal Prosecution,” *Business Law Today*, December 2016
- “FTAIA Case Update: Seventh Circuit Decision in Motorola,” *Mobility LLC v. AU Optronics Corp*, *European Competition Law Review*, 2015
- “Criminal Antitrust Enforcement Poses Significant Risks for FDA-regulated Industry,” *FDLI Update*, November/December 2015
- “Antitrust Compliance: Practical Ways to Mitigate Antitrust Risk,” *K&L Gates' Global Boardroom Risk Solutions Newsletter*, December 2014 (co-author)
- “Exclusive Dealing: An Antitrust Analysis,” *The 101 Practice Series: Breaking Down the Basics*, *American Bar Association Young Lawyers Division*, Spring 2013

- "Highlights from the FTC's Recent Workshop on Preventing Patent "Hold-Ups" in the Standard-Setting Context," *ABA Antitrust Section, Joint Conduct Committee E-Bulletin*, Fall 2011
- "Foreign Investment Update: Proposed Regulations to the Recently Amended Exon-Florio Provision," *Client Alert, Antitrust and Trade Regulation Group*, May 2008

NEWS & EVENTS

- 13 July 2021, K&L Gates Launches Expanded Guidebook on Doing Business in the United States (*Practice & Regional News*)
- 21 May 2021, K&L Gates Policy and Regulatory Practice, Lawyers Ranked Among Leaders in 2021 Chambers USA Guide (*Rankings & Recognitions*)
- 2 November 2020, Numerous K&L Gates Diverse and Women Lawyers Recognized for Leadership and Legal Accomplishments (*Press Release, Rankings & Recognitions*)
- 9 September 2020, Four Chicago Partners Listed Among 2020 Notable Women in Law by *Crain's Chicago Business* (*Rankings & Recognitions*)
- August 2020, K&L Gates Lawyers Provide Insights on Impact of COVID-19 Across Various Industries (*Media Mention*)
- 23 April 2020, K&L Gates, Lawyers Recognized in 2020 Chambers USA Guide (*Rankings & Recognitions*)
- 26 April 2019, Chambers USA 2019 Guide Ranks K&L Gates, Lawyers Among Leaders (*Press Release*)
- 16 November 2018, K&L Gates Advises II-VI Incorporated on US\$3.2 Billion Acquisition Agreement with Finisar Corporation (*Noteworthy Work*)
- 17 February 2016, K&L Gates Names 50 New Partners (*Press Release*)

AREAS OF FOCUS

- Antitrust, Competition, and Trade Regulation
- Class Action Litigation Defense
- Complex Commercial Litigation and Disputes
- Health Care and FDA
- Health Care Fraud and Abuse (U.S.)
- Investigations, Enforcement, and White Collar
- White Collar Crime

REPRESENTATIVE EXPERIENCE

- Represented an individual in response to a grand jury subpoena from the Department of Justice, Antitrust Division, concerning anticompetitive “no-poach” agreements in the health care industry.
- Representing Chiyoda Manufacturing Corporation, a Japanese auto-parts manufacturer, and its U.S. subsidiary in a nationwide antitrust class action brought by various purchasers alleging a global price-fixing cartel in the sale of automotive parts.
- Representing Nichicon Corporation, a Japanese electronic components manufacturer, and its U.S. subsidiary in a nationwide multidistrict antitrust class action brought by various purchasers alleging a global price-fixing cartel. These actions followed a criminal antitrust investigation conducted by the Department of Justice Antitrust Division.
- Represented Nichicon Corporation, a Japanese electronic capacitor manufacturer, in a criminal antitrust investigation conducted by the Department of Justice Antitrust Division. The representation included coordination with investigations conducted in numerous other countries, as well as representation of both the parent and its U.S. subsidiary in numerous follow-on class actions and opt out litigations.
- Representing Mayne Pharma, a global generic pharmaceutical manufacturer, in a nationwide multidistrict antitrust class action brought by various purchasers alleging an industry-wide cartel involving price-fixing and customer allocation agreements and conspiracies.
- Representing a global generic pharmaceutical manufacturer in response to grand jury and investigatory subpoenas from the Department of Justice Antitrust Division and state attorneys general concerning alleged price-fixing and customer allocation in the generic drugs market.
- Representing a U.S. wireless carrier in pre-merger antitrust compliance.
- Represented a global agricultural equipment manufacturer in multi-district antitrust, consumer fraud, and RICO class actions involving lawnmower horsepower.
- Represented II-VI in its \$3.2 billion acquisition of Finisar. Lead antitrust counsel obtaining competition approvals in the United States, China, Germany, Mexico and Romania.
- Represented the president of a transportation and entertainment industry company in a criminal antitrust investigation conducted by the Department of Justice Antitrust Division concerning alleged price-fixing and market allocation. The investigation was resolved without enforcement action against the company or its president.
- Represented a large Japanese manufacturer of resistors and other passive electronic components and its U.S. subsidiary in a criminal antitrust investigation conducted by the Department of Justice Antitrust Division concerning alleged price-fixing and bid-rigging. We conducted a thorough and rapid internal investigation, and used the information to persuade the Antitrust Division to terminate the investigation against our client.
- Represented the president of an oil and gas exploration company located in Oklahoma City in an investigation conducted by the Department of Justice Antitrust Division concerning alleged price-fixing, bid-rigging and

market allocation. Our client was not charged in the investigation although a criminal indictment was brought against the competitor company and its president.

- Represented a senior executive from a Japanese automotive parts manufacturer in an investigation conducted by the Department of Justice Antitrust Division concerning alleged price-fixing, bid-rigging and market allocation in the sale of plastic components.
- Represented a senior sales executive from Pilot Flying J in an investigation conducted by the U.S. Attorney's Office in Knoxville, Tennessee concerning fraudulent conduct in the withholding of diesel fuel price discounts.
- Represented a senior executive from an automotive parts electronics manufacturer in an investigation conducted by the Department of Justice Antitrust Division concerning alleged price-fixing, bid-rigging and market allocation. The government was persuaded to decline prosecution against our client.
- Represented a senior executive from an investment bank in Dallas in an investigation conducted by the Department of Justice Antitrust Division concerning alleged bid-rigging in municipal bond sales. Although the prosecutors in Dallas recommended a multi-count indictment, we persuaded the senior decision-makers in the Antitrust Division in Washington, DC to decline prosecution.
- Represented the president of a major electronics and lighting company located in Amsterdam in an investigation conducted by the Department of Justice Antitrust Division concerning alleged price-fixing and bid-rigging in the TV monitor market. The government was persuaded to decline prosecution against our client although charges were brought against the corporation.
- Represented a Chicago company that produces and distributes ice in a criminal antitrust investigation conducted by the Department of Justice Antitrust Division and a civil antitrust investigation conducted by the Illinois Attorney General concerning alleged price-fixing among sellers of ice in the Chicago regional market and throughout the nation. We persuaded the Antitrust Division to decline prosecution of both the company and its employees, and resolved the civil investigation conducted by the Illinois Attorney General.
- Represented an agricultural chemicals company from Australia in a civil investigation and litigation conducted by the Federal Trade Commission in the United States. The case was resolved through a favorable agreement.
- Represented Robert Bosch GmbH, the world's largest manufacturer of automotive parts, and Robert Bosch LLC in a criminal antitrust investigation conducted by the Department of Justice Antitrust Division. Representation included participation in the coordination of the company's response to investigations in numerous other jurisdictions.
- Advised multiple health care providers in the development of Clinically Integrated Networks (CINs), as well as other antitrust regulatory matters.
- Represented a large health care system in its acquisition of a local hospital.
- Advised a health care system on its potential acquisition of a competing physician group practice.
- Represented Cascades Corporation in an antitrust class action brought by direct purchasers alleging a conspiracy among containerboard manufacturers to fix or raise the price of containerboard products. We also

represented Cascades Corporation in a related opt out action filed by Ashley Furniture, where we won our motion to dismiss state antitrust claims against our client, and, eventually, succeeded in having the entire action dismissed with prejudice.

- Representing a poultry processor and distributor in response to a grand jury subpoena from the Department of Justice Antitrust Division concerning alleged cartel conduct in the poultry product market.
- Representing the former senior vice president of sales for Starkist, a packaged seafood manufacturer, in a criminal antitrust investigation conducted by the Department of Justice Antitrust Division concerning price-fixing.
- Representing a U.S. railway component manufacturer in a nationwide antitrust class action brought by employees alleging anticompetitive “no-poach”/“no-hire” agreements in railway employee labor markets.