

Derek W. Kelley

Partner

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OVERVIEW

Derek Kelley is a partner at the firm. His practice spans the field of competition law, including US and international merger clearance, complex antitrust litigation, federal and state government investigations, and routine counseling on compliance with US antitrust laws.

Derek began his career as an antitrust litigator. He is among a very small number of lawyers to have litigated multiple merger trials. In addition to achieving significant wins for clients in the healthcare and medical device spaces, he has successfully represented clients in industries as far-ranging as building materials and professional wrestling.

Since joining K&L Gates in 2019, Derek has increasingly focused on merger clearance. Derek routinely advocates on behalf of the firm's clients before the US Department of Justice–Antitrust Division and the Federal Trade Commission, as well as the European Commission.

Prior to joining the firm, Derek served as an associate at an international law firm, where he assisted clients with boycott claims, restructurings, complex product liability litigations, monopolization, and antitrust risks associated with mergers and potential litigation.

ACHIEVEMENTS

- Listed in *The Best Lawyers: Ones to Watch® in America* for Antitrust Law in Washington, D.C., 2024-2025

EDUCATION

- J.D., University of Michigan Law School, 2013 *(magna cum laude)*
- B.A., University of Michigan, 2010

ADMISSIONS

- Bar of District of Columbia

- Bar of Michigan

LANGUAGES

- French
- Greek
- Latin

THOUGHT LEADERSHIP *POWERED BY HUB*

- 26 February 2025, HSR Overhaul Takes Effect: A New Era For Dealmakers
- 16 January 2025, FTC Announces New HSR Notification Thresholds for 2025
- 17 October 2024, FTC Issues Final HSR Rules Transforming the Merger Review Process
- 31 January 2024, FTC Announces New HSR Notification Thresholds and Filing Fees for 2024
- 20 July 2023, FTC and DOJ Release Draft of Updated Merger Guidelines: What this Means for Companies' M&A Plans Now and in the Future
- 27 October 2022, Illumina/Grail—The Dawn of a New Era for Global Merger Control?
- 17 August 2022, Important Update for Health Care Providers Regarding In re Blue Cross Blue Shield Antitrust Litigation, MDL 2406
- 25 April 2022, Offshore Wind Handbook
- 13 May 2021, Supreme Court Holds the FTC Act Gives No Authority to Bypass Administrative Cease-And-Desist Orders
- 23 April 2021, FTC Issues New Guidance, Warning That Bias In Artificial Intelligence Could Create Potential Liability For Enforcement Actions
- 5 February 2020, Antitrust Agencies Release Draft Vertical Merger Guidelines: A Healthcare Perspective
- 23 January 2020, Antitrust Agencies Release Draft Vertical Merger Guidelines

OTHER PUBLICATIONS

- "HSR overhaul takes effect: A new era for dealmakers," *Thomson Reuters Westlaw Today*, 27 March 2025
- "State Pre-Merger Notification Requirements for Healthcare Transactions," *The Health Lawyer*, 20 December 2023
- "Navigating Potential Changes In Carbon Reporting Standards," *Law360*, 17 January 2023

- Co-Author, *Antitrust Enforcement of No-Poach Agreements in Health Care and Unique Considerations for AMCs*, American Health Law Association, 2022
- Co-Author, *Health Care Mergers and Acquisitions: The Antitrust Perspective*, BNA's Health Law and Business Series, 2015
- Co-Author, *Improving Hospital Costs and Quality: How Does Transaction Structure Matter and What Does Antitrust Have to Say About it?* Am. Bar Ass'n, 2015
- Co-Author, *AHLA Member Briefing on Saint Alphonsus v. St. Luke's and Other Precedents on Physician Practice Acquisitions and Mergers*, 2014

NEWS & EVENTS

- 12 October 2026, K&L Gates Advises Milliman, Inc. on US$340 Million Sale of Retirement Administration Business to Empower
- 19 December 2022, K&L Gates Adds 40 Lawyers to Firm's Partnership

AREAS OF FOCUS

- Antitrust and Competition

INDUSTRIES

- Technology

EMERGING ISSUES

- Artificial Intelligence (AI)