

CADWALADER

Cadwalader, Wickersham & Taft LLP
www.cadwalader.com

Asia Competition Practice

**Antitrust
Practice of
the Year
Award 2014**

- Benchmark Litigation

Very Smart

Cadwalader Antitrust lawyers
recognized as "very smart" on
competition issues in Asia

- The Legal 500 US

On the cover:



Charles F. (Rick) Rule
Partner – Washington
+1 202 862 2420
rick.rule@cwt.com

Charles F. (Rick) Rule. Rick is head of the firm's Antitrust Group, Co-Chair of the Litigation Department and a member of Cadwalader's Management Committee. In the 1980s, Rick served in every leadership policy position in the Antitrust Division of the US Department of Justice, ultimately becoming the youngest Assistant Attorney General ever to head that Division from 1986 until 1989. Rick argued for the government in *Matsushita Electric Industrial Co. v. Zenith Radio Corp.*, 475 US 574 (1986) – a landmark US Supreme Court case on international antitrust. Rick has decades of experience in all areas of antitrust litigation and criminal grand jury investigations by the DOJ and other enforcement agencies, and has represented a number of corporations, financial institutions and senior executives in antitrust grand jury investigations and follow-on litigation.



Joseph J. Bial
Partner – Washington
+1 202 862 2391
joseph.bial@cwt.com

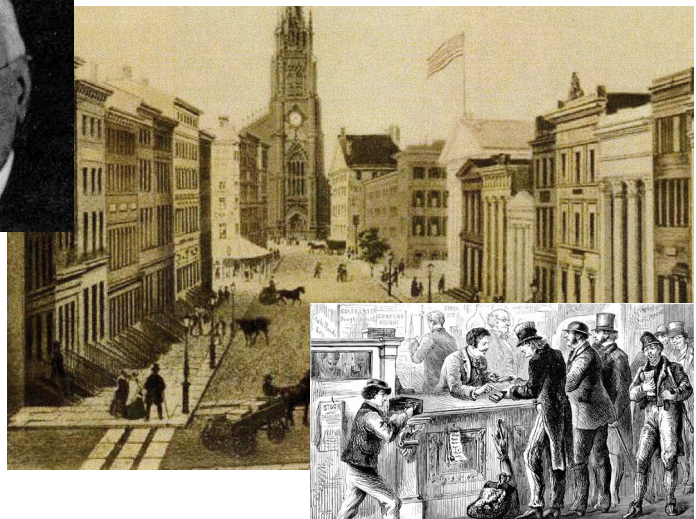
Joseph J. Bial. Joe has extensive experience in both criminal and civil aspects of international cartel investigations. He has specific experience defending clients in civil litigation following grand jury investigations. Joe lived and worked in Tokyo and has deep experience throughout Asia. In addition to his legal training, he also holds a Ph.D. in Economics, expertise which he brings to bear on all of our matters, including cartel investigations. Joe heads Cadwalader's major antitrust initiatives in Asia. He has been recognized by The Legal 500 US for his "real strength in criminal and private litigation" and as a dedicated specialist in Asian markets.

Strong Tradition – Modern Thinking

Cadwalader, Wickersham & Taft LLP is the oldest continuing Wall Street law practice in the United States. Since the firm's founding in 1792, Cadwalader has continued its long-standing tradition of providing our clients with unparalleled service and legal expertise. Our antitrust team continues the tradition of antitrust excellence started by one of the firm's founders, George W. Wickersham. As Attorney General (1909-1913) under President William Howard Taft, Mr. Wickersham litigated landmark antitrust cases that continue to impact today's legal landscape. Today, our antitrust team is at the center of some of the most notable and complex antitrust issues on a global scale, drawing from the firm's resources in Asia and in Europe.



George W. Wickersham



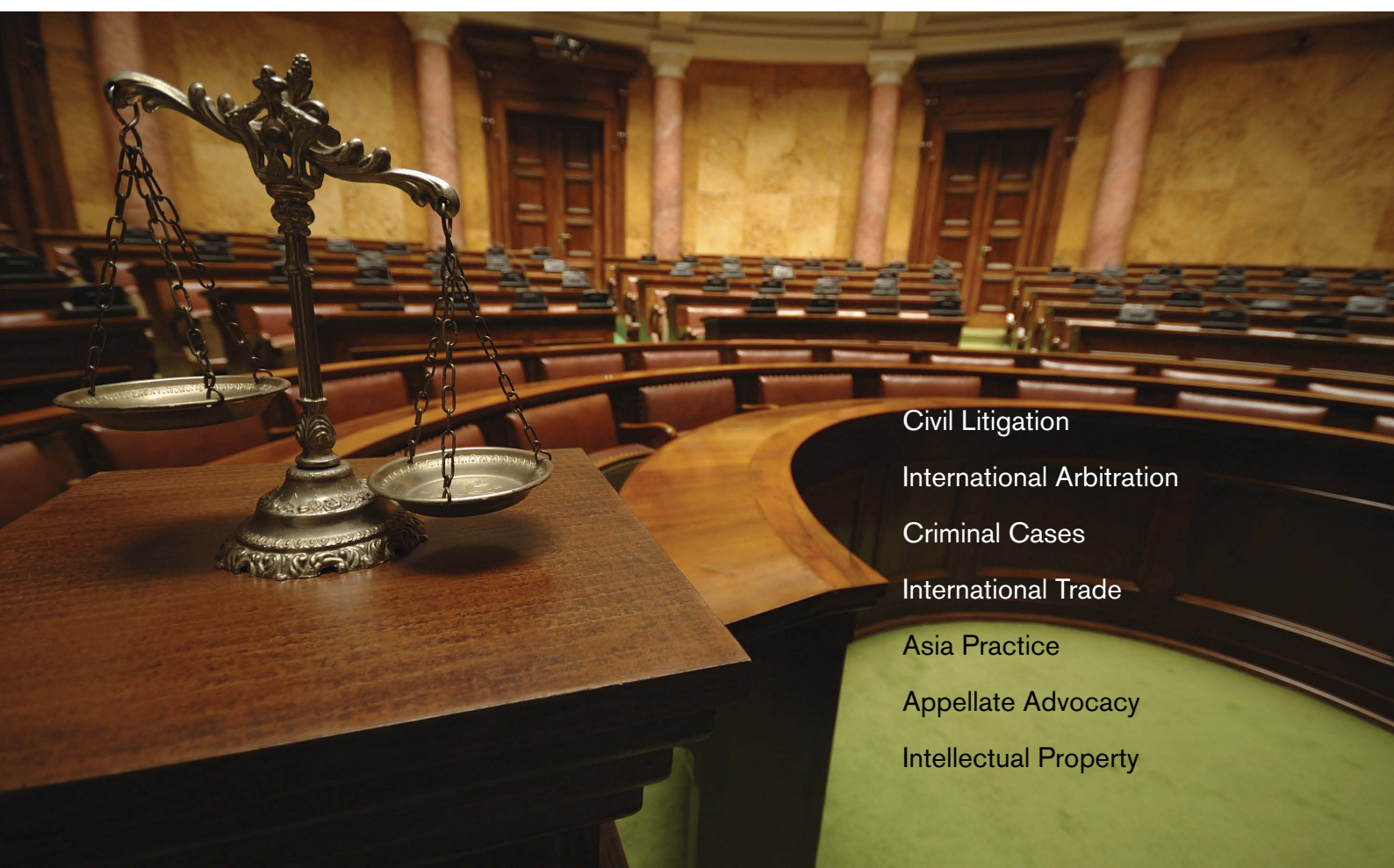
Cadwalader's antitrust team consists of market-leading attorneys who have significant expertise in the full range of domestic and international antitrust issues. We have extensive experience working with authorities in the United States, Asia and Europe. Our team's leaders have previously held the highest antitrust enforcement positions in the US government. Our firm's global presence allows us to approach matters with a unique perspective and a cohesive strategy.

Antitrust Litigation Practice

Our litigators are experienced in large, complex civil and criminal cases and handle all aspects of dispute resolution. We regularly appear before trial and appellate courts throughout the country, as well as before the US Supreme Court, foreign and domestic arbitration tribunals and regulatory agencies in various parts of the world.

Members of our antitrust team advise clients and serve as counsel in connection with some of the most cutting-edge antitrust issues. We have expertise in the full range of antitrust matters, including monopolization, price-fixing, tying, group boycotts, exclusive dealing, resale price maintenance, bid-rigging and price discrimination.

Cadwalader is routinely called upon to advise on competition and antitrust issues arising in Asia or having effects that flow back into the US marketplace. Our attorneys have been instrumental in many of the seminal legal issues facing Asia-based companies, including invoking the foreign compulsion doctrine to defend actions brought under US antitrust law and in the development of new laws enacted in Asia.



Civil Litigation
International Arbitration
Criminal Cases
International Trade
Asia Practice
Appellate Advocacy
Intellectual Property

US Regulators Focus on Asia

International cartel investigations have increased substantially in recent years, culminating in massive fines and numerous indictments and convictions.

Since the 1990s, the number of individuals sentenced to prison terms in the United States has roughly doubled. A substantial percentage of those individuals are from Asian countries.

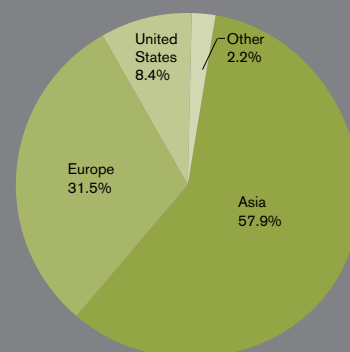
International cartel investigations have increased steadily over the past decade, culminating with massive fines and numerous indictments and convictions over the past several years. It is critical to have a comprehensive jurisdiction-by-jurisdiction approach to responding to national and international government investigations of alleged cartel activity.

Resources

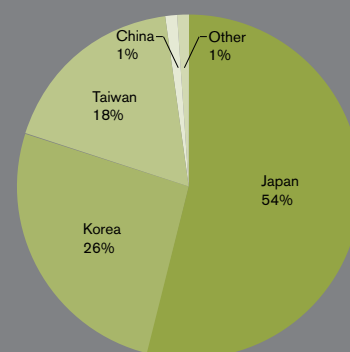
- Antitrust Division Enters Into First Deferred Prosecution Agreement (English, Japanese & Chinese) (Feb. 27, 2013)
- Jury Rejects Chinese Vitamin C Maker's Foreign Compulsion Defense (English & Chinese) (Mar. 15, 2013)
- US DOJ's First Successful Extradition Based on Antitrust Charges (Apr. 16, 2014)
- The New EU Competition Commissioner: Margrethe Vestager (Webinar) (Sept. 15, 2014)

To learn more, contact the leaders of our Asia Practice: Joseph J. Bial (joseph.bial@cwt.com) and Charles F. (Rick) Rule (rick.rule@cwt.com).

Corporate Fines of \$10 Million or More by Region



Corporate Fines of \$10 Million or More in Asia by Country



Clients&FriendsMemo

反トラスト局、初の訴訟延期合意を締結
2013年2月27日

ロンドン銀行間取引金利 (LIBOR) 不正操作疑惑における某金融機関の関与について、米国司法省 (以下、「DOJ」とする) 反トラスト局としては今回初めて、同金融機関と訴訟延期合意 (以下、「DPA」とする) を締結しました。また、当該合意の一環として、同機関の日本の子会社は、LIBOR金利不正操作疑惑に関連した有価証券不正行為について有罪を認めることに同意しました。

Clients&FriendsMemo

纽约法院維持維生素C案の判決、要求支付原告法律費用
2014年1月3日

在最近发布的一份决定中，就一个路申团对维生素C生产商河北德康制药有限公司及其母公司华北制药集团有限责任公司 (“华北制药”) 因价格操纵而被处以1亿5,330万美元罚款的判决，纽约一家联邦法院已拒绝将其撤销，且法院永久地禁止了该公司继续从事任何违反美国反垄断法律的行为。

Clients&FriendsAlert

米国司法省、反トラスト容疑にもとづく身柄引渡しに初めて成功
2014年4月16日

2014年4月4日金曜日、米国司法省反トラスト局 (DOJ) は、反トラスト容疑にもとづく「価格協定者であるとされる人物」の身柄引渡しに初めて成功しました。
イタリア国籍のロマン・ビショップティ (82才) は、ドイツを移動中にカルテルに關与したとの申立てにもとづき、外国人として初めて米国当局に引き渡されました。今回の身柄引渡しの成功は、カルテル容疑で自主的に米国にて出廷することを拒否した外国人に対する身柄引渡しの脅威が増したことを浮き彫りにしています。

2010年にビショップティ氏は、米国およびその他の地域で販売されたマリンホースに関する聯合、價格操作、市場シェアの配分に関する共謀につき訴訟されており、雇主のParker ITR

Global Merger Clearance Practice

Cadwalader's Antitrust team has a history of success in mergers and regulatory matters, including representation of:

- US Airways in its mergers with America West Airways and American Airlines. The Antitrust team's work on the latter transaction won Global Competition Review's (GCR) 2014 Matter of the Year award.
- Aer Lingus in its defense of Ryanair's hostile takeover bids, GCR's 2014 Merger Control Matter of the Year – Europe.
- Microsoft in connection with its \$8.5 billion acquisition of Skype, the company's largest acquisition to date and GCR's 2012 Merger Control Matter of the Year – Europe.
- Anheuser-Busch Companies, Inc./InBev N.V./S.A. in securing antitrust clearance from the DOJ in connection with InBev's \$52 billion acquisition of Anheuser-Busch – the largest all-cash deal in history.
- Microsoft in its \$7.2 billion acquisition of the devices and services business of Nokia.
- President Obama's Auto Task Force and the United States Treasury before the Antitrust Division and the Federal Trade Commission, as well as foreign jurisdictions around the world, in connection with the bailout and reorganization of Chrysler and General Motors.



Ties with Asia

We travel frequently throughout Asia and coordinate matters with several firms with which we have developed deep ties. We routinely travel to firms in Japan, Korea and Taiwan to discuss and promote our clients' common strategic interests, and we coordinate matters in China and throughout Asia from our Hong Kong and Beijing offices.

Cadwalader is further fostering its relationships with law firms throughout Asia with its Foreign Internship Program. In the spirit of providing our clients with unparalleled expertise, we welcome Foreign Law Clerks to join the firm in order to broaden their experience working alongside leaders in almost every area of business law while having the opportunity to contribute to a tradition of innovation.



Market-Leading Practitioners



Asia Antitrust Practice Leadership

Joseph J. Bial and **Charles F. (Rick) Rule**

(see biographies inside of cover page)

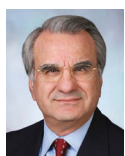
Antitrust Practice



Alec J. Burnside

+32 (0)2 891 81 81 | alec.burnside@cwt.com

- Head of the firm's Brussels office and EU Competition practice. A leading figure in the European competition bar, with expertise in financial services, IT, consumer products, energy, natural resources, manufacturing, military, transport and logistics, pharmaceuticals and telecom.



Anthony V. (Tony) Nanni

+1 202 862 2413 | tony.nanni@cwt.com

- Served as Chief of the National Criminal Enforcement Section in the Antitrust Division and supervised more grand jury investigations than any other chief in the Division. Focuses on federal civil and criminal antitrust and fraud investigations and prosecutions involving both corporate and individual clients.

Related Practices



Kenneth L. Wainstein

+1 202 862 2474 | ken.wainstein@cwt.com

- Head of the firm's White Collar Defense and Investigations Practice, and previously served as Homeland Security Advisor to President George W. Bush, the first Assistant Attorney General for the Justice Department's National Security Division, General Counsel to the FBI and the US Attorney for the District of Columbia. Leads many high-profile investigations and represents a number of corporations and individuals in criminal matters.



Johnny Chiu

+1 202 862 2210 | johnny.chiu@cwt.com

- Partner in the firm's Intellectual Property Group with extensive experience representing technology companies in Asia in IP litigation matters before the International Trade Commission (ITC) and in US federal and state courts. Formerly served as US chief legal officer for one of the world's largest electronics manufacturers based in Taiwan.



Alexander J. Hadjis

+1 202 862 2323 | alexander.hadjis@cwt.com

- Chair of Cadwalader's International Trade Commission (ITC) Patent Litigation Practice and the Co-Chair of the firm's Technology Industry Practice. Extensive experience in all areas of intellectual property litigation and cases involving the interface between intellectual property and antitrust law.



Rocky T. Lee

+86 (10) 6599 72881 | rocky.lee@cwt.com

- Asia Managing Partner and the Head of the firm's Greater China Corporate Practice. Widely recognized as one of the top legal advisors in Asia with a broad practice in China corporate, banking and finance, private equity, mergers and acquisitions, foreign exchange and antitrust law matters.

Distinctions and Awards

Who's Who in Asia

Who's Who in Asia

- Two consecutive editions (2007 and 2012)
– Joseph J. Bial



The Legal 500

- Rick Rule, Joseph J. Bial, Alexander J. Hadjis and Johnny Chiu recommended by clients
- Antitrust practice recognized as "very smart" on competition issues in Asia



Global Competition Review

- **Matter of the Year Award, 2014**, for our representation of US Airways in connection with its merger with American Airlines
- **Merger Control Matter of the Year Europe, 2014**, for our representation of Irish airline Aer Lingus in its defense of Ryanair's hostile takeover bids



Benchmark Litigation

- **2014 Antitrust Practice of the Year Award**
- **Impact Case of the Year Award** for the firm's work in American Airlines/US Airways merger

CHAMBERS GLOBAL

Chambers Global

- Rick Rule, Alec J. Burnside, Alexander J. Hadjis and Johnny Chiu recognized as leading lawyers
- China: Intellectual Property – USA (Foreign Expert) – Johnny Chiu



Chambers Asia Pacific

- **Band 1 Leading Individual/Leader in Asia, 2011**
– Rocky T. Lee

Super Lawyers

RIISING STARS 2014

Super Lawyers

- Joseph J. Bial recognized as a leading antitrust lawyer in Washington, DC (2013-2014)



US News/Best Lawyers

- National ranking in the US in the area of Antitrust Law
- Rick Rule named to The Best Lawyers in the USA
- Alec J. Burnside named to The Best Lawyers in Belgium

About Cadwalader

Cadwalader, Wickersham & Taft LLP offers a strong and diverse international platform, with eight offices globally and an expanding presence in Hong Kong and Beijing. We are able to dispatch demanding, time-critical and resource-intensive transactions across a wide range of practice areas, offering clients the advantage of a presence in major financial and governmental centres.

As one of the oldest law firms in the United States, we put over 220 years of legal experience and innovation to work for our clients today. We stand out from our competition because we help you stand out from yours. Find out what makes us different.

New York

Attorneys based in our New York headquarters advise Wall Street's most sophisticated financial institutions, many of the world's premier companies, including a number of *Fortune* 100 corporations, government entities, and individual clients.

London

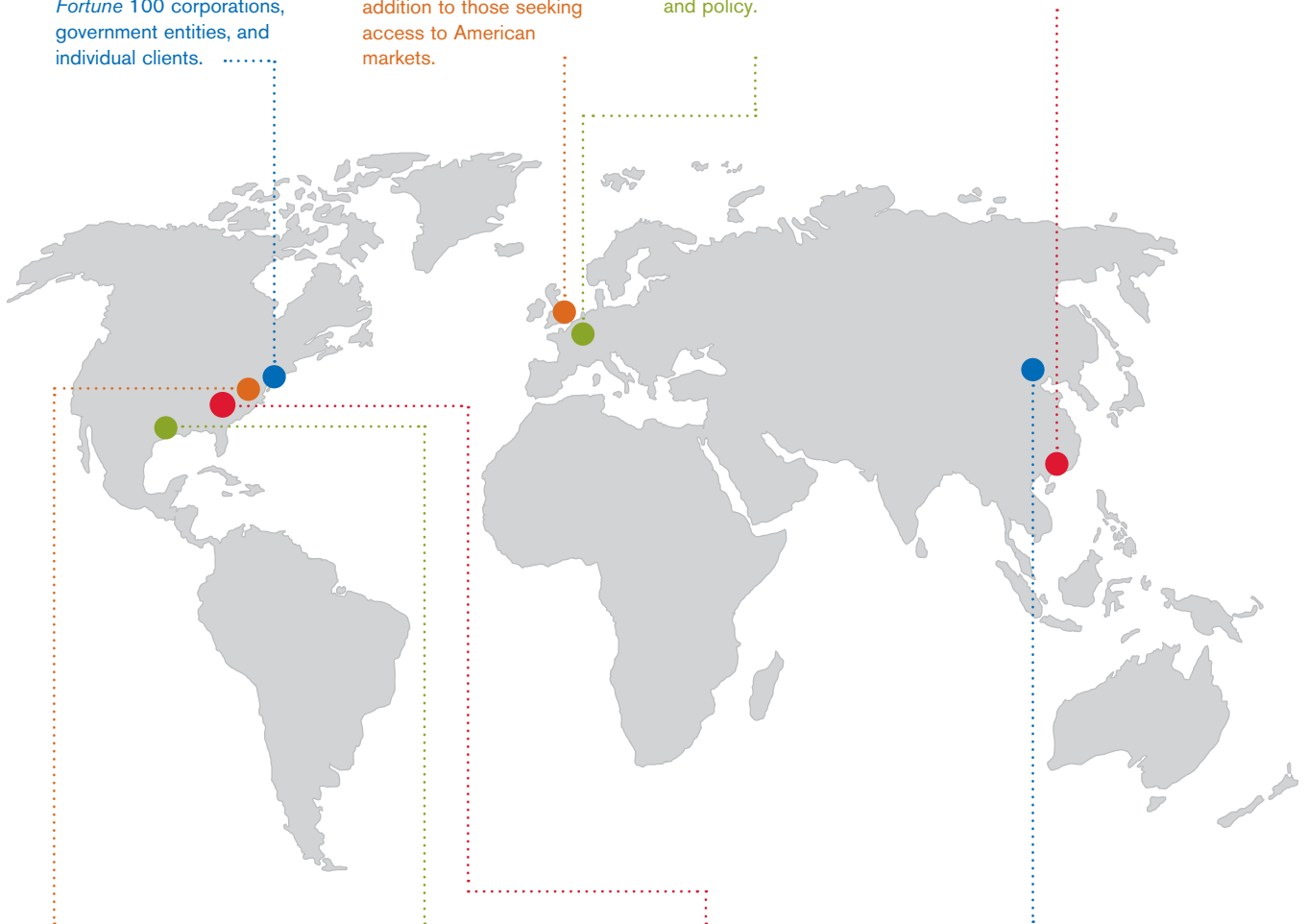
Our London office, staffed with solicitors qualified in England and Wales, as well as US attorneys, serves clients aiming to capitalize on European and worldwide markets, in addition to those seeking access to American markets.

Brussels

Our Brussels office extends Cadwalader's global practice into the heart of the European Union, from which we provide leading advice on all aspects of EU law and policy.

Hong Kong

From our office in Asia's largest financial center, we serve US, UK and Asia-based financial institutions and multinational companies doing business in and from the Asia Pacific region.



Washington

We counsel a wide range of financial and regulatory market participants from the nation's capital. Our team advises clients on antitrust, corporate, capital markets, energy, financial restructuring, white collar, regulatory, and tax matters.

Houston

Our office in the nation's fourth largest city advises diversified energy and commodities industry participants, as well as banking, technology, manufacturing, transportation, medical research and health care companies.

Charlotte

Our Charlotte office provides sophisticated legal services to clients in America's second-largest financial center. We focus on bank finance, real estate finance, securitization and structured products, corporate finance, and financial restructuring.

Beijing

Through our presence in mainland China, we represent financial institutions, multinational and foreign companies, and domestic Chinese companies seeking to explore emerging opportunities.

Cadwalader offices

Hong Kong

27th Floor, 100QRC
100 Queen's Road Central
Hong Kong
T. +852 2946 1100

Beijing

2301 China Central Place Tower 2
No. 79 Jianguo Road
Beijing 100025
China
T. +86 (10) 6599 7200

New York

One World Financial Center
New York, NY 10281
T. +1 212 504 6000

Brussels

Avenue d'Auderghem 22-28
Brussels 1040
Belgium
T. +32 (0)2 891 81 00

Charlotte

227 West Trade Street
Charlotte, NC 28202
T. +1 704 348 5100

Houston

One Allen Center
500 Dallas Street, Ste 2800
Houston, TX 77002
T. +1 713 343 7500

London

Dashwood House
69 Old Broad Street
London EC2M 1QS
United Kingdom
T. +44 (0) 20 7170 8700

Washington

700 Sixth Street, N.W.
Washington, DC 20001
T. +1 202 862 2200

CADWALADER

Cadwalader, Wickersham & Taft LLP
www.cadwalader.com