



## Kelton E. Anderson

Associate

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Kelton is an Antitrust and Regulatory associate, maintaining a global practice out of Winston and Strawn's Washington, D.C. office. With a focus on commercial and competition related disputes, Kelton has represented Fortune 500 companies and private entities in multimillion and billion-dollar litigations, investigations, and transactions. Prior to joining the firm, Kelton gained invaluable litigation experience as a law clerk for the United States Department of Justice, Civil Rights Division, Special Litigation Section, as well as the National Labor Relations Board, Contempt, Compliance & Special Litigation Branch.

At Winston & Strawn, Kelton concentrates his practice on complex commercial work with an emphasis on civil and criminal antitrust matters. Kelton has experience representing clients in all aspects of antitrust and competition related disputes, including investigations by the U.S. Department of Justice, Federal Trade Commission, and state antitrust authorities, as well as class action lawsuits. Additionally, Kelton's antitrust practice involves corporate counseling, assisting in the review and clearance of large-scale mergers and acquisitions, including Hart-Scott-Rodino (HSR) filings, analysis of HSR Act reportability, and responding to government inquiries and Second Requests to obtain pre-merger approval.

Kelton's Complex Commercial work has also involved mass tort defense litigation and high-stakes commercial transactions counseling, with a focus on private equity related transactions, assisting in both antitrust and government contracts related regulatory review. Kelton has counseled clients in over US\$4.5B worth of private equity, mergers & acquisitions, and capital markets related transactions to date.

Kelton maintains a robust *pro bono* practice across various areas of substantive law, representing incarcerated prisoners against §1983 civil rights violations, assisting asylum seekers in obtaining permanent legal residence in the United States, assisting in the sealing of arrest records, and advocating for disabled students.

## Key Matters

### ANTITRUST REPRESENTATIONS:

- Represented a leading consumer products client in their US\$1B acquisition of an industry competitor, providing counsel on antitrust aspects, Second Request compliance, and negotiation of a favorable DOJ settlement.
- Represented Activision Blizzard, one of the world's largest video game developers and publishers, advising on the settlement of an antitrust-related investigation.
- Represented NorthShore University HealthSystem, resolving a decade long antitrust class action lawsuit over alleged anticompetitive practices following a merger, resulting in a US\$55M settlement.
- Represented numerous clients in HSR filings involving mergers and acquisitions valued at over US\$100M.

### FEDERAL REGULATORY REPRESENTATIONS:

- Public and private representations include: The Government of the United States Virgin Islands; Water Street Healthcare Partners; Shore Capital Partners; The Vistria Group; Neventa Capital; and CORE Industrial Partners, totaling over US\$4.5B in transactional value to date.
- Represented the Government of the United States Virgin Islands in pursuing congressionally appropriated Community Project Funding ("Earmarks") for the enrichment and development of local island communities, successfully securing over US\$10M of funding for the territory.
- Represented Silgan Holdings Inc., a leading supplier of rigid packaging for consumer goods products, in its US\$1.025B acquisition of the dispensing systems business of WestRock Company.
- Represented a Switzerland-based private equity firm, in its convertible note investment in a Houston-based company working to develop the first commercial space station funding operation of end-to-end missions to the International Space Station.
- Represented New York-based alternative investment firm that actively invests in the private equity, credit and public equity markets in its acquisitions of several entities which are leading producers, stores, processors, distributors, transporters, sellers, and marketers of rice, beans, spices, and the other dry goods.
- Represented Whitsons Culinary Group, a portfolio company of GenNx360 Capital partners, in its acquisition of Lintons Food Service Management, a leading and innovative Pennsylvania-based food service management provider.
- Represented Ducommun Incorporated (Ducommun) in its acquisition of Magnetic Seal Corporation (MagSeal).

### COMMERCIAL LITIGATION AND COMPLEX REGULATORY REPRESENTATIONS:

- Defended a multi-billion dollar defamation case alleged against Fox News and Fox Corporation by Dominion Voting Systems, recognized by the New York Times as “one of the most consequential First Amendment cases in a generation” resulting in a US\$787.5M settlement. The groundbreaking settlement has garnered significant attention in the media. *The Washington Post* characterized the matter as “one of the most highly-anticipated media trials in decades.” Additionally, the *Wall Street Journal* recognized that “the case was set to test the contours of modern media law.”
- Formerly assisted in the resolution of over 50 mediated disputes involving retaliation, whistleblowing, wrongful termination, sexual harassment, interference with contractual relationships, violations of state and federal employment regulations, and all forms of employment discrimination (age, religion, race, marital status, sexual orientation, and disability).

#### PRO BONO REPRESENTATIONS:

- Represented an incarcerated client in litigation related to §1983 civil rights violations perpetrated by correctional officers.
- Represented disabled students in Union County Public Schools during the COVID-19 pandemic.
- Represented an LGBTQ+ asylum seeker in obtaining permanent legal residence in the United States.
- Represented an indigent client in the sealing of arrest records related to charges of which he was acquitted.

## Recent Experience

Secured Settlement for Fox on Brink of Trial in High-Profile Defamation Litigation Brought by US Dominion Voting Systems

Whitsons Culinary Group Acquires Lintons Food Service Management

## Activities

Kelton is the Washington, D.C. Associate Committee Representative and a member of the firm’s Associate Committee. In this role, Kelton works closely with Winston & Strawn’s Executive Committee to help shape firm policy. Additionally, Kelton is an active member of the firm’s Latin American affinity group, La Alianza at Winston (LAW).

Outside of the firm, Kelton assists the Chicago Debate Society, the #1 ranked collegiate debate program in the nation, judging American Parliamentary debates and helping to mentor individual members of the team.

## Credentials

#### EDUCATION

Kelton received his J.D. from Georgetown University Law Center in 2021, where he was an elected representative of the Student Bar Association, a member of the Alternative Dispute Resolution team, as well as an editor for the *Georgetown Journal of Legal Ethics*, and a member of the Latin American Law Students Association. He received his B.A. in 2017 from the University of Chicago, double majoring in political science and public policy with a specialization in economics, receiving honors for both degrees and serving as president of the Chicago Debate Society. Prior to joining the firm, Kelton served as a law clerk for the United States Department of Justice, Civil Rights Division, Special Litigation Section, as well as the National Labor Relations Board, Contempt, Compliance & Special Litigation Branch.

## ADMISSIONS

- District of Columbia
- New York

## Related Insights & News

- “Seventh Circuit: Key Antitrust Decisions on Everything from Price-Fixing to Healthcare Monopolization,” *GCR: US Courts Annual Review*, Co-author, Jul. 2023

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### BLOG

U.S. Antitrust Agencies Seek Tips on Anticompetitive Conduct in the Health Care Space

APRIL 24, 2024

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### BLOG

U.S. Antitrust Agencies Continue to Target Private Equity Involvement in Healthcare

MARCH 6, 2024

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### BLOG

FTC Chair Khan Emphasizes Vigilance in Antitrust Oversight of AI Industry

FEBRUARY 6, 2024

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### RECOGNITIONS

Winston Attorneys Named to 2022 Capital Pro Bono Honor Roll

SEPTEMBER 6, 2023

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### BLOG

FTC and DOJ Propose Drastic Overhaul of HSR Requirements: New Form, New Frontier

JUNE 28, 2023

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### CLIENT SUCCESS

Winston Acts as Lead Trial Counsel for Fox News and Fox Corp. in US Dominion Voting Systems Defamation Cases, Settling Matter on Brink of Trial

APRIL 18, 2023

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### RECOGNITIONS

Winston Attorneys Named to 2021 Capital Pro Bono Honor Roll

JUNE 9, 2022

# Capabilities

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