

Tom Melsheimer Featured in *D Magazine* for Trial Win Over Department of Justice

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Winston & Strawn Dallas office Managing Partner Tom Melsheimer was featured in *D Magazine* for his groundbreaking victory over the Department of Justice in a closely watched criminal no-poach trial in the health care industry.

Tom represented dialysis corporation DaVita's former CEO, Kent Thiry, who was accused of orchestrating a conspiracy with competitors not to hire each other's top executives. The trial, in U.S. District Court in Denver, was the first time a company and a top executive were criminally charged in a no-poach conspiracy case.

In securing an acquittal, Tom successfully argued that the agreement did not impact meaningful competition, among other things.

"It was an effort to vigorously compete while maintaining friendships and business relationships. That was the genesis of it. It wasn't a sinister, smoke-filled room type of agreement," Tom told *D Magazine*.

Read the full article [here](#).

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Thomas M. Melsheimer