



## Kevin B. Goldstein

Partner

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**Kevin is an antitrust lawyer and litigator who provides counsel in all areas of antitrust law, including civil litigation, government investigations, merger reviews, and compliance counseling. He specializes in defending clients in high-stakes contested matters, including in class actions, civil and criminal investigations, FTC and DOJ Second Requests, and other private litigation and arbitration.**

Kevin focuses his practice on antitrust/competition law and litigation. Kevin's antitrust litigation practice covers the full spectrum of federal and state antitrust issues, including defending against claims of price-fixing, illegal vertical agreements, monopolization, and no-poach violations. Kevin also has significant experience obtaining regulatory approvals for mergers, acquisitions, and other complex transactions including, when necessary, responding to Second Requests by the U.S. Federal Trade Commission and U.S. Department of Justice. He also has counseled clients on JVs and competitor collaborations, pricing and distribution issues, data exchanges, non-competes and labor competition, and a wide array of other antitrust issues. His practice has a substantial emphasis on matters requiring multinational coordination, and he has experience coordinating cartel and merger defenses in jurisdictions, including the European Union, Japan, Korea, Canada, Mexico, Brazil, China, and South Africa. He also has

experience with antitrust matters in a wide range of industries, including agriculture, automobiles and automobile components, chemicals, consumer electronics, consumer packaged goods, financial services, food and beverage, health care and insurance, luxury goods, medical devices, music licensing, pharmaceuticals, publishing, retail, and semiconductors.

Kevin has particular experience in Asia and serves as a key contact for Winston's industry-leading [Japan Practice](#). He regularly advises Asia-led businesses on their most critical US and global matters. Having lived and studied in both Japan and China, Kevin brings familiarity with local business practices, legal systems, and culture to every client representation.

Kevin previously served as *pro bono* General Counsel of the not-for-profit Tulsa Zoo Management, Inc., during which time he led all legal aspects of the privatization of the Tulsa Zoo and Living Museum's operations. He also previously served as a law clerk at the U.S. Federal Trade Commission in the Office of International Affairs, and was a Visiting Lecturer at Tsinghua University School of Law in Beijing.

## Recent Experience

## Recognitions

- Named to *Best Lawyers: Ones to Watch in America* for Antitrust Law (2021–2023)
  - Selected as an Illinois *Super Lawyers*® “Rising Star” for Antitrust Litigation (2020–2023)
  - Selected as a Washington D.C. *Super Lawyers*® “Rising Star” for Antitrust Litigation (2019–2023)
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## Activities

Kevin serves as Chair of the Chicago Bar Association's Antitrust Law Committee, a role he has held since 2020. He is also active in the American Bar Association and served as Young Lawyer Representative for the Section of Antitrust Law's International Committee for 2012–2013.

Kevin is a member of the Japan America Society of Chicago's Board of Directors and the Steppenwolf Theatre Company's Associates Board, where he has served as Vice President and on the executive and board development committees.

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## Credentials

### EDUCATION

Kevin received his BA from Dartmouth College, where he studied economics, philosophy, and Japanese, and he received his JD, *cum laude*, from Georgetown University Law Center, where he was an editor of the *Georgetown Journal of International Law*. He also received an LLM in Chinese law from Tsinghua University School of Law, where he won the award for best graduate thesis for his comparative research on the interaction of competition and national security concerns in cross-border mergers and acquisitions.

### ADMISSIONS

- District of Columbia

- Illinois
- New York

## LANGUAGES

- Spanish

# Related Insights & News

## Speaking Engagements

- “Unpacking Antitrust No-Poach Agreements: Navigating Legal and Economic Dimensions in Depth,” online seminar, The Knowledge Group, Oct. 27, 2023
- “Changes in U.S. Antitrust Laws Regarding M&A and Joint Ventures: What Japanese Companies Need to Know,” online seminar, FRONTEO, Oct. 12, 2023
- “Discussion with the Illinois AG’s New Antitrust Bureau Chief,” Webcast, Chicago Bar Association Antitrust Law Committee, moderator, March 23, 2022
- “The Basics of Antitrust Law for The Novice Attorney,” MyLawCLE 2022 Antitrust Conference, speaker, March 22, 2022
- “The Sherman Act, the Clayton Act, and the FTC Act,” Federal Bar Association 2022 Antitrust Conference, speaker, March 22, 2022
- “The Biden Administration’s Antitrust Priorities,” Chicago Bar Association Antitrust Law Committee, speaker & moderator, Oct. 8, 2021
- “Criminal Antitrust Hot Topics Update from the DOJ Antitrust Division’s Chicago Field Office,” Chicago Bar Association Antitrust Law Committee, moderator, April 30, 2021
- Georgetown Law Antitrust & Competition Law Student Association Panel, speaker, Washington, D.C., April 7, 2017
- Antitrust Law Career Panel, ABA Section of Antitrust Law, speaker, Washington, D.C., March 9, 2017
- “Joint Conduct 101: Information Exchange,” ABA Section of Antitrust Law, speaker, Oct. 20, 2016
- “Careers in International Antitrust – Global Opportunities for Young Lawyers,” Columbia Law School Panel, ABA Section of Antitrust Law, speaker, New York, April 11, 2014
- “Nuts and Bolts of International Cartel Enforcement,” Teleconference, ABA Section of Antitrust Law, moderator, Dec. 11, 2012

## Publications

- *State Lawmakers Slow Down Healthcare Mergers*, Featured, LexisNexis, Sept. 22, 2023
- *Uncertainty Lingers Around DOJ’s Antitrust Leniency Shift*, Co-Author, Law360 Expert Analysis, Sept. 29, 2022
- *Pay-for-Delay Deals and Antitrust Concerns*, Co-Author, LexisNexis, July 28, 2022
- *Pharmaceutical Pricing and Antitrust Liability Concerns*, Co-Author, LexisNexis, July 28, 2022
- *When Private Equity Firms Face U.S. Antitrust Liability for Portfolio Company Conduct*, ABA Section of Antitrust Law Joint Conduct Committee, Cartel & Joint Conduct Review, Volume 15, No. 1, Spring 2020
- *No More Bumps in the Road: The DOJ’s No “Piling On” Policy Should Eliminate Indirect Commerce “Bumps” in International Cartel Investigations*, Bloomberg BNA, Feb. 2019
- *Seventh Circuit Eschews “Antitrust Standing” in Favor of Proximate Cause Analysis of Indirect Purchaser Claims Under California Cartwright Act, UCL, and Other State Antitrust Laws*, Co-Author, California Lawyers Association -

Antitrust, UCL and Privacy Section, Oct. 11, 2018

- Contributor to Chapter 11 *Antitrust Issues Involving Intellectual Property* and Chapter 12 *Antitrust and International Commerce*, in ABA Section of Antitrust Law, Antitrust Law Developments, 7th ed., 2012
- *Reviewing Cross-Border Mergers and Acquisitions for Competition and National Security: A Comparative Look at How the United States, Europe, and China Separate Security Concerns from Competition Concerns in Reviewing Acquisitions by Foreign Entities*, 3 Tsinghua China L. Rev. 215, 2011
- *H&R Block Acquisition of TaxACT Software Maker Blocked*, Practical Law Company, Oct. 31, 2011
- *AT&T Acquisition of T-Mobile Challenged by DOJ*, Practical Law Company, Aug. 31, 2011
- *DOJ Updates Guide to Merger Remedies*, Practical Law Company, June 17, 2011
- *Progress Continues on China's Merger Review System*, Antitrust Update, with Suat Eng Seah, Spring 2011,
- *DOJ Reaches Settlement with Texas Hospital in Unilateral Conduct Case*, Practical Law Company, Feb. 25, 2011
- *China Adopts National Security Review System for Foreign Investment*, Asia Alert, with Suat Eng Seah, Feb. 2011
- Forward to symposium on sovereign wealth funds, 40 Geo. J. Int'l L. 1101, 2009
- *Unemployment, Inequality, and Terrorism: Another Look at the Relationship Between Economics and Terrorism*, 1 Carroll Round Proc. 18, 2006, republished online with minor changes and additional statistical tables at 1 Undergraduate Econ. Rev. art. 6, 2005, <http://digitalcommons.iwu.edu/uer/vol1/iss1/6/>

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## BLOG

FTC Adopts Final Ban on Worker Non-Competes

APRIL 23, 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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## SPEAKING ENGAGEMENT

Updates from the Illinois Attorney General's Antitrust Bureau Chief

JANUARY 24, 2024

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## BLOG

FTC and DOJ Issue Final Merger Guidelines, Formalize Shift in Enforcement Philosophy and Legal Theories

DECEMBER 19, 2023

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## RECOGNITIONS

Winston Attorneys Win Five Mondaq Thought Leadership Awards in the Outlet's Autumn 2023 Accolade Series

NOVEMBER 14, 2023

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## WEBINAR

Unpacking Antitrust No-Poach Agreements: Navigating Legal and Economic Dimensions in Depth

**SEMINAR/CLE**

Changes in U.S. Antitrust Laws Regarding M&A and Joint Ventures: What Japanese Companies Need to Know  
OCTOBER 12, 2023

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**BLOG**

The Long Reach of China’s Anti-Monopoly Law  
OCTOBER 4, 2023

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**BLOG**

Chinese E-Commerce Company Sues Amazon Europe Under China’s Anti-Monopoly Law  
OCTOBER 2, 2023

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**BLOG**

Landmark Ruling Paves the Way for Streamlined Health Care Transactions  
OCTOBER 2, 2023

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**IN THE MEDIA**

Kevin Goldstein Discusses “Baby HSRs” with *State Net Capitol Journal*  
SEPTEMBER 22, 2023

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**RECOGNITIONS**

Kevin Goldstein Elected to Japan America Society of Chicago’s Board of Directors  
SEPTEMBER 15, 2023

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Capabilities

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Antitrust/Competition

Litigation/Trials

Antitrust Transactions

Class Actions & Group Litigation

International Arbitration

Automotive & Mobility

Health Care

Media & Entertainment

Medical Devices

Technology, Media & Telecommunications

Food & Beverage

Retail & Luxury