



## Dana Cook-Milligan

Partner

San Francisco  
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**Dana focuses her practice on complex commercial litigation, with an emphasis on antitrust, consumer class actions, white collar criminal defense, and internal investigations.**

*Dana is currently seconded to the in-house legal department of a client.*

Dana focuses her practice on complex commercial litigation, antitrust, white collar criminal defense, and internal investigations. In the antitrust space, Dana has experience defending companies in price fixing and conspiracy cases in state and federal court, and likewise has experience successfully defending companies in merger challenge cases. She has also provided antitrust counseling in a variety of industries and has drafted antitrust compliance policies for multinational corporations. She also has significant experience in consumer class actions and business-to-business litigation, including California's Unfair Competition Law, California's False Advertising Law, California's Proposition 65, the Fair Debt Collection Practices Act, and other consumer protection statutes. In the white collar and internal investigations space, Dana has managed internal investigations as well as criminal defense matters, including serving as pool counsel and preparing criminal referrals.

Dana is also actively involved in pro bono work, including serving as lead counsel in a successful defensive asylum hearing, securing a beneficial settlement in a case involving an unlawful revocation of a Section 8 voucher, serving as lead counsel on a years-long financial dispute that included two Ninth Circuit appeals, and bringing habeas corpus petitions on behalf of detained immigrants.

Dana served on the firm's Associates Committee from 2017 to 2019 and was the co-chair of the Associates Committee for the second year of her term. She currently serves on the firm's Pro Bono Committee, Associate Evaluation Committee, and Recruiting Committee, and is the Hiring Partner for the San Francisco office.

Dana is a member of the Executive Committee of the California Lawyers Association Antitrust and Unfair Competition Law Section, on which she serves as the Co-Chair of the Unfair Competition Law Committee. She is also an editor and contributor to the ABA Joint Conduct Committee's weekly publication, titled "The Quick Look."

Dana is also involved with her law school alma mater, UC Law SF (formerly UC Hastings), where she has served as a mentor through the UC Law SF Women's Law Society since 2018.

## Key Matters

### Antitrust

- Representing a financial institution in a conspiracy case against major credit card companies regarding the rollout of chip technology
- Representing a multinational information technology company in various price fixing antitrust litigations
- Representing a national pet services company in a post-consummation merger challenge that was dismissed at the motion to dismiss and is currently on appeal
- Counseling an agricultural company in antitrust compliance and drafting an antitrust compliance policy for same

### White Collar Criminal Defense & Investigations

- Representing a retailer in connection with a grand jury investigation
- Representing a project management company in connection with a grand jury investigation
- Representing a financial cooperative in connection with an internal investigation into employee fraud
- Representing an oil and gas company in connection with state and federal investigations related to an oil spill

### Other Commercial Litigation

- Representing a medical devices and health care company in a class action in connection with false advertisements in violation of the Telephone Consumer Protection Act (TCPA)
- Represented a global financial institution in a False Claims Act (FCA) case. Obtained a complete victory for client after years-long litigation threatening billions of dollars in potential exposure.

### Pro Bono

- Serving as lead counsel for a Honduran woman and her child in a successful defensive asylum case
- Representing a woman in a section 1983 case in which the client was wrongfully evicted and then lost her Section 8 housing voucher without the hearing due process requires
- Serving as lead counsel on a Fair Debt Collection Practices Act (FDCPA) and civil Racketeer Influenced and Corrupt Organizations Act (RICO) pro bono matter that included two appeals to the Ninth Circuit
- Successfully representing a Congolese immigrant in a board of Immigration Appeal to uphold a grant of asylum
- Securing release for a detained immigrant seeking protection under the Convention Against Torture

# Recognitions

Dana has been recognized by *Best Lawyers: Ones to Watch in America* for Transportation Law in 2023 and by *Super Lawyers* as a “Rising Star” in 2020 and 2021. She was also recognized in the 2023 and 2024 editions of *Lawdragon’s* “500 X – The Next Generation” for Commercial Litigation, White Collar.

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# Activities

- Executive Committee Member, California Lawyers Association Antitrust and Unfair Competition Law Section
  - Editorial Board Member, ABA Joint Conduct Committee “The Quick Look” publication
  - Board Member, California Editorial Advisory Board, Law360 (2023)
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# Credentials

## EDUCATION

Dana received her B.A., *cum laude*, in Economics, French, and International Relations from Bucknell University in 2008, and she received her J.D., *cum laude*, from University of California School of Law, San Francisco (formerly University of California, Hastings College of Law) in 2014, where she served as senior supervising editor of the *Hastings Constitutional Law Quarterly*. She also served as a student competition coordinator on the Hastings Moot Court Board and was a member of the Philip C. Jessup International Law Moot Court Competition team, during which her team became the U.S. Pacific Regional Champions and International Quarterfinalists in 2013. Dana also received her LL.M. in European Union Law, with honors, from the University of Paris II, Pantheon-Assas in 2014, where she was a fifth place oralist and semifinalist in the Europa Moot Court Competition.

## ADMISSIONS

- California

## LANGUAGES

- French

# Related Insights & News

- Speaker, “Individual Settlements in Class Litigation,” Complex Litigation Ethics Conference, Oct. 17, 2024
- Speaker, “Antitrust for Retailers: Decoding Merger Challenges and Legal Shifts in 2024 and Beyond,” 2024 Retail Law Conference, Oct. 10, 2024
- Author, Chapter 7: Litigating a California Antitrust or Unfair Competition Claim, “California Antitrust and Unfair Competition Law, Revised Edition,” a publication of the Antitrust and Unfair Competition Law Section of the California Lawyers Association
- [“California’s Plan to Criminally Prosecute Cartwright Act Violations Yet Another Sign of Increasing State Antitrust Enforcement,”](#) *Winston & Strawn Competition Corner*, 16, 2024
- [“Don’t Nickle and Dime Compliance: Antitrust and Consumer Protection Risks in Finance,”](#) *Winston & Strawn Women in Antitrust Limited Series Podcast*, June 14, 2023

- ["Illinois District Court Rules that Reasonable Costco Customers Are Flavor Savvy,"](#) *Winston & Strawn Class Action Insider*, 13, 2022
- ["American Innovation and Choice Online Act,"](#) *Winston & Strawn Competition Corner*, 20, 2022
- ["The FTC Picks a Fight Against the COPA Hospital Merger System,"](#) *Winston & Strawn Competition Corner*, 20, 2022
- ["En Banc Ninth Circuit Panel Weighs in on Class Certification Standards and the Use of Statistical Evidence to Demonstrate Common Antitrust Impact,"](#) *Winston & Strawn Competition Corner*, 22, 2022
- ["Boosting Immunity: DOJ Injects Additional Burden and Uncertainty to Antitrust Leniency Process,"](#) *Winston & Strawn Competition Corner*, 6, 2022
- ["Qualcomm Chips Away at Cellular Chip Licensing Class Action,"](#) *Winston & Strawn Competition Corner*, Oct 6, 2021
- ["Competition EO: Practical Implications of Biden's Executive Order on Promoting Competition,"](#) *Winston & Strawn Competition Corner*, 31, 2021
- ["Ninth Circuit Throws Back Tuna Price-Fixing Classes and Provides Important Guidance on Class Certification Standards, Statistical Evidence, and Uninjured Class Members,"](#) *Winston & Strawn Competition Corner*, 15, 2021
- ["Antitrust Division Redistributes Responsibilities to Address Technology's Effect on Industries,"](#) *Winston & Strawn Competition Corner*, 25, 2020
- ["New Comments by DOJ's Powers Underscore the Need for Cautious Analysis in Seeking Leniency,"](#) *Winston & Strawn Competition Corner*, 10, 2020

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## **BLOG**

FTC Revives Robinson-Patman Act Enforcement in Lawsuit Against Nation's Top Alcohol Distributor  
DECEMBER 18, 2024

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## **SPEAKING ENGAGEMENT**

Dana Cook-Milligan Speaks at the 2024 Complex Litigation Ethics Conference  
OCTOBER 17, 2024

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## **SPONSORSHIP**

Winston Sponsors 2024 Retail Law Conference and Presents on Antitrust Risks for Retailers  
OCTOBER 9, 2024

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## **RECOGNITIONS**

Winston Attorneys Featured on 2024 *Lawdragon* 500 X – The Next Generation List  
JUNE 28, 2024

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## **BLOG**

California's Plan to Criminally Prosecute Cartwright Act Violations Yet Another Sign of Increasing State Antitrust Enforcement  
APRIL 16, 2024

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## RECOGNITIONS

Winston Attorneys Featured on *Lawdragon's* Inaugural 500 X – The Next Generation List

JULY 7, 2023

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## PODCAST

Don't Nickle and Dime Compliance: Antitrust and Consumer Protection Risks in Finance

JUNE 14, 2023

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## NEWS

2022 Pro Bono Impact Report

MAY 1, 2023

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## RECOGNITIONS

Law360 Names Winston Attorneys to 2023 Editorial Advisory Boards

APRIL 10, 2023

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## RECOGNITIONS

Winston & Strawn Antitrust/Competition Practice Recognized in 2023 GCR 100

DECEMBER 19, 2022

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## PRESS RELEASE

Winston & Strawn Names 19 New Partners

DECEMBER 6, 2022

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## BLOG

Illinois District Court Rules That Reasonable Costco Customers are Flavor Savvy

OCTOBER 13, 2022

## Capabilities

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Litigation/Trials

Antitrust/Competition

Government Investigations, Enforcement & Compliance

Commercial Litigation & Disputes

Class Actions & Group Litigation

Government Program Fraud, False Claims Act & Qui Tam Litigation

Antitrust Transactions

Public Companies

Financial Services