

## Lawyers



### Joseph J. Matelis

Partner

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Joseph Matelis, a partner in S&C's Litigation Group, is a seasoned antitrust lawyer with deep government experience. His practice focuses on antitrust matters, including merger reviews, other civil and criminal government proceedings involving competition issues, litigation, and counseling, including advising clients about no-poach and wage-fixing agreements. His recent representations span a variety of industries.

#### Representative matters

##### *Airlines*

- International Airlines Group in its acquisition of Aer Lingus

##### *Defense*

- Harris in its merger with L3 Technologies
- Harris in its acquisition of Exelis

##### *Energy*

- NEXUS in its acquisition of Generation Pipeline
- Andeavor in its sale to Marathon Petroleum
- Tesoro in its acquisition of Western Refining
- Enbridge in its acquisition of Spectra
- Columbia Pipeline Group in its sale to TransCanada Corporation

##### *Financial Institutions*

- BancorpSouth Bank in its merger with Cadence Bancorporation
- First Horizon in its merger with IBERIABANK
- SunTrust in its merger with BB&T
- Popular in its acquisition of Reliable Financial Services assets
- First Horizon in its acquisition of Capital Bank
- Scottrade in its sale to TD Ameritrade and TD Bank

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#### PRACTICES & CAPABILITIES

**Litigation**

**Antitrust**

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#### EDUCATION

**1996, Harvard Law School, J.D.**

**1993, University of North Carolina, B.A.**

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#### BAR ADMISSIONS

**District of Columbia**

**New York**

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#### CLERKSHIPS

**The Honorable John T. Copenhaver, Jr., United States District Court, Southern District of West Virginia, 1996-1998**

- KCG Holdings in its sale to Virtu Financial
- FirstMerit in its sale to Huntington Bancshares
- First Niagara Financial Group in its sale to KeyBank
- Ace Limited in its acquisition of The Chubb Corporation
- Goldman Sachs in consolidated antitrust litigation arising out of aluminum warehousing

#### *Industrials*

- K+S in its sale of Morton Salt to Stone Canyon
- Praxair in its merger with Linde
- NewPage in its sale to Verso

#### *Manufacturing*

- Knoll in its merger with Herman Miller
- Diebold in its acquisition of Wincor

#### *Pharmaceuticals*

- Kite Pharma in its sale to Gilead Sciences
- Dyax in its sale to Shire
- Optimer in its sale to Cubist
- Valeant in its acquisition of PreCision Dermatology

#### *Retail*

- Swedish Match in its sale to PMI
- Kraft Foods in its merger with H.J. Heinz

#### *Technology*

- Recruit Holdings in its acquisition of Glassdoor

#### *Telecommunications*

- AT&T in its acquisition of DIRECTV

Mr. Matelis rejoined Sullivan & Cromwell in 2013 from the U.S. Department of Justice's Antitrust Division, where he served as Counsel to eight Assistant Attorneys General and Acting Assistant Attorneys General and participated in enforcement decisions across a variety of industries, including the telecommunications, technology, financial services, energy, beer, and healthcare sectors. At the Division, he developed statements of enforcement policy and practice, including the 2010 Horizontal Merger Guidelines, the 2011 Policy Guide to Merger Remedies, protocols regarding coordinating Division investigations with non-U.S. competition agencies, and Competition and Monopoly: Single-Firm Conduct Under Section 2 of the Sherman Act. In 2012, he became the Division's Chief Counsel for Innovation.

Before joining the Antitrust Division, Mr. Matelis was a member of Sullivan & Cromwell's Litigation Group and represented clients during merger reviews at the U.S. Department of Justice and the Federal Trade Commission. He also represented Microsoft Corporation for several years in private actions alleging unlawful monopoly maintenance.

Mr. Matelis speaks about antitrust issues frequently, including as a lecturer at Duke Law School, Harvard Law School, the Kellogg School of Management, and the Yale School of Management. *Who's Who Legal: Competition* recognized him as a leading practitioner (2020-2023) and as a Future Leader in 2019. He has also been ranked by *Chambers USA* for Antitrust (2019-2022), where a source noted that he is "very knowledgeable

of the antitrust approval process” and “has a clear understanding of how to deal with regulators.”

## **Publications**

- *Criminal Enforcement of Section 2 of the Sherman Act*, 36 ABA Antitrust Magazine 61 (Summer 2022) (co-author)
- Contributor, *Telecom Antitrust Handbook* (ABA 2019)
- *From Philadelphia National Bank to Global Guidelines*, 10 Competition Law International 171 (October 2014) (co-author)
- *Update from the Antitrust Division*, GCR Antitrust Review of the Americas (2012)
- *The 2010 U.S. Horizontal Merger Guidelines: A Historical and International Perspective*, 25 ABA Antitrust Magazine 48 (Summer 2011) (co-author)

## **Speaking engagements**

- M&A: fintechs, banks, and competition, Columbia University (May 2022)
- Antitrust in the Modern Economy, Cardozo Law School (November 2019)
- Money Isn't Everything: Non-Price Merger Effects, American Bar Association Spring Meeting (March 2019)
- Bank on It: Practical Advice from Veterans of the Bank Merger Review Process, American Bar Association Insurance and Financial Services Committee (October 2018)
- Mergers: Defining and Litigating Relevant Markets, American Bar Association Spring Meeting (April 2018)
- Pipeline to Success: The Enbridge/Spectra Merger, New York State Bar Association (May 2017)
- Refusals to License Intellectual Property, International Competition Network Annual Conference (April 2016)
- Nuts and Bolts of FCC Merger Review, American Bar Association Mergers and Acquisitions Committee (November 2015)
- PAEs: Privateering, Purchasing, and Patent Reform, American Bar Association Antitrust and Intellectual Property Conference (October 2015)
- Innovation: Can It Ever Be Anticompetitive?, American Bar Association Spring Meeting (April 2015)
- Transactions Below the Radar, American Bar Association Section of International Law (June 2014)
- Fundamentals: Antitrust, American Bar Association Spring Meeting (March 2014)
- Vertical Contracts: The Key Implications, American Bar Association Unilateral Conduct Committee and Federal Civil Enforcement Committee (January 2014)
- ABA Section of Antitrust Law Merger Practice Workshop (September 2013)
- The Antitrust Treatment of Non-Poaching and Non-Solicitation

Agreements, American Bar Association Business Torts Committee  
(June 2013)

- *Verizon/Spectrum Co.*: Anatomy of a Transaction, Federal Communications Bar Association (January 2013)
- The U.S. Horizontal Merger Guidelines, IBC Legal Advanced EU Competition Law London Forum (May 2011)