Michael J. Perry

Partner

mjperry@gibsondunn.com
T: +1 202.887.3558
Washington, D.C.



Michael J. Perry is a partner in the Washington, D.C. office of Gibson Dunn and a member of the firm's Antitrust and Competition Practice Group.

Michael represents clients in merger and non-merger related investigations before the U.S. Federal Trade Commission and the U.S. Department of Justice, and complex private and government antitrust litigation. His practice spans a variety of industries, including healthcare and life sciences, energy, and technology, and he is experienced in issues at the intersection of antitrust and intellectual property law. Michael has been named a leading antitrust practitioner by *Chambers USA*, *The Legal 500*, *Global Competition Review*, *Law360*, *Lawdragon,* and *Lexology*, described by *Chambers* as a "terrific lawyer who can translate complicated items into laymen's terms."

Michael previously served as Counsel to the Director of the Federal Trade Commission's Bureau of Competition from 2015 to 2016 and as an attorney in the agency's healthcare division. During his tenure at the FTC, Michael played an integral role in many of the agency's most significant antitrust enforcement actions, including *FTC v. Actavis*, *FTC v. Cephalon*, *FTC v. Sysco*, and *FTC v. St. Luke's Health System.*

Michael currently serves in the leadership of the Antitrust section of the American Bar Association as Senior Editor of the *Antitrust Law Journal*. Before joining Gibson Dunn, Michael was an antitrust partner at an international law firm. He clerked for the Honorable Allyne R. Ross of the United States District Court for the Eastern District of New York, and the Honorable Michael A. Chagares of the United States Court of Appeals for the Third Circuit. Michael received his law degree, with distinction, from Stanford University. He earned a Bachelor of Arts degree *summa cum laude* from Wake Forest University.

Representative matters include:*

- Lead trial counsel for Community Health Systems in *FTC v. Novant Health* (W.D. N.C.), defeating the FTC's motion for a preliminary injunction.
- Representing RealPage in DOJ, state, and multi-district class action lawsuits alleging "algorithmic pricing."
- Representing Amazon in the New Jersey Attorney General's antitrust lawsuit alleging anticompetitive labor practices (D.N.J.).
- Represented Hewlett Packard Enterprise in the DOJ's challenge to HPE's acquisition of Juniper Networks (N.D. Cal.).
- Represented Edwards Lifesciences in the FTC's challenge to Edwards' proposed acquisition of JenaValve Technology (D.D.C.).
- Represented AbbVie in multiple strategic transactions, including its acquisition of Cerevel Therapeutics.

Capabilities

Antitrust and Competition
Life Sciences
Litigation

Credentials

Education

Stanford University - 2007 Juris Doctor
Wake Forest University - 2002 Bachelor of Arts

Admissions

California Bar
District of Columbia Bar

Clerkships

US Court of Appeals, 3rd Circuit, Hon. Michael A. Chagares, 2009 - 2010
USDC, Eastern District of New York, Hon. Allyne R. Ross, 2008 - 2009

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- Represented Amazon in securing antitrust clearance for its acquisition of One Medical.
- Represented Novartis' Sandoz division in the *In re Humira Antitrust Litigation* putative class action, resulting in a dismissal on the pleadings (N.D. Ill., 7th Cir.).
- Represented DaVita in the FTC's conditional approval of the acquisition of the University of Utah's dialysis business and in securing global antitrust clearance for DaVita's joint venture with Medtronic.
- Represented Merck in securing FTC clearance for multiple strategic transactions, including its acquisition of Virbac's Sentinel business.
- Represented Indorama Ventures in securing global antitrust clearance for multiple strategic transactions, including its joint venture with other U.S. PET resin manufacturers and its acquisition of Huntsman's integrated oxides and derivatives business.
- Defended Arch Coal in the FTC's challenge to its proposed joint venture with Peabody Energy to combine the companies' U.S. thermal coal assets (E.D. Mo.).
- Defended Valero Energy in the California Attorney General's challenge to the proposed acquisition of Plains All American Pipeline's Bay Area terminals (N.D. Cal.).
- Represented RealPage in securing DOJ clearance for its acquisition of Lease Rent Options and related assets from the Rainmaker Group.
- Defended Columbia University against antitrust claims involving digital television technology, obtaining dismissal on the pleadings (N.D.N.Y).
- Represented Fujifilm in antitrust litigation and related actions relating to magnetic tape cartridges (S.D.N.Y.).

Representative publications and speaking engagements include:

- "Life Sciences M&A: Recent Antitrust Developments," ABA Section of Antitrust Law (June 2026)
- "Pharma Cos. Should Prepare for New Drug-Rebate Scrutiny," Law360 (September 2021)
- "Antitrust Enforcement Policy for Cross-market Health Care Mergers: Legal Theories, Limiting Principles, and Practical Considerations," Antitrust Law Journal (2020)
- "Antitrust Issues with Biologics and Biosimilars in the U.S. and Europe," ABA Section of Antitrust Law (March 2020)
- "The First Cut is the Deepest: Use of Economics Before the Antitrust Agencies and the Courts," Antitrust Magazine (Spring 2018)
- "The FDA and FTC's Increased Focus on Generic Drug Competition Signals Enhanced Attention to REMS Issues," Antitrust Health Care Chronicle (April 2018)
- "Antitrust Fundamentals for In-House Counsel," Association of Corporate Counsel (May 2017)
- "Pharmaceutical Antitrust Enforcement in the Trump Administration: Forecast Based on Past Administrations and Current Trends," Genetic Engineering & Biotechnology News (March 2017)
- "Patents, Antitrust and Pharma: Different Rules?," Antitrust and Intellectual Property Conference, ABA Section of Antitrust Law (October 2015)
- "Health Care Antitrust 101," ABA Section of Antitrust Law (March 2015)
- "State and Federal Enforcement in Non-reportable Transactions," ABA Section of Antitrust Law (February 2015)

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- "After *Actavis*: FTC Update," Intellectual Property Owners Association (January 2014)

**Includes experience prior to joining Gibson Dunn*

Michael is admitted to practice in the District of Columbia, California, the United States District Court for the Northern District of California, and the United States Court of Appeals for the Seventh Circuit.

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