Ben A. Sherwood

Associate Attorney

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New York



Ben A. Sherwood is an associate in the New York office of Gibson Dunn and a member of the firm's Antitrust and Competition Practice Group. He represents clients in antitrust class actions, competitor disputes, and investigations and enforcement actions by the Antitrust Division of the U.S. Department of Justice, the U.S. Federal Trade Commission, and state attorneys general. He has defended antitrust cases at every stage of litigation, and his experience spans a variety of industries, including communications, financial services, food and beverage, healthcare, pharmaceuticals, technology, and transportation. Ben is recognized in *Best Lawyers: Ones to Watch® in America* for antitrust litigation and class action defense.

Ben has deep experience with the antitrust treatment of software algorithms, including artificial intelligence. Among other matters, since 2022 he has defended RealPage, Inc. in the country's most closely watched antitrust challenges to the use of algorithmic pricing software, including multidistrict class action litigation and multiple federal and state government enforcement actions. He also counsels companies on the antitrust risks of software algorithms, represents clients in confidential government investigations into algorithmic pricing, and speaks regularly on the topic.

Ben's representative matters include:

- RealPage in numerous lawsuits alleging price-fixing and information-exchange conspiracies.
- Apple in a putative class action alleging monopolization of certain platforms.
- Comcast in a competitor lawsuit alleging monopolization of the market for spot cable advertising representation services.
- OptumRx in an enforcement action brought by the FTC under Section 5 of the FTC Act.
- Amgen in a competitor lawsuit alleging monopolization of the market for certain cholesterol-reducing medications.
- A company in a grand jury investigation by the Antitrust Division into alleged price fixing. The Division closed the investigation without action.
- A company in an investigation by the FTC into alleged monopolization. The FTC closed the investigation without action.

Ben's representative speaking engagements include:

- "Antitrust Policy and Enforcement in the Age of Automated Pricing," Virginia State Bar, Antitrust and Consumer Protection Section (April 2026).
- "Algorithms and Antitrust: The Legal Risks of AI-Driven Pricing," TransPerfect LegalNEXT Conference (October 2025).

Capabilities

Antitrust and Competition
Class Actions
Litigation
Trials

Credentials

Education

Harvard University - 2017 Juris Doctor

University of Chicago - 2012 Bachelor of Arts

Admissions

New York Bar

Clerkships

USDC, Southern District of New York, Hon. Naomi Reice Buchwald, 2019 - 2020

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Outside the firm, Ben is active in the Antitrust Law Section of the American Bar Association, where he serves on the Monopolization and Dominance Committee as Young Lawyer Representative.

Before joining the firm, Ben served as a law clerk to the Honorable Naomi Reice Buchwald of the United States District Court for the Southern District of New York. He received his J.D., *cum laude*, from Harvard Law School in 2017. Between college and law school, he was a trader at a high-frequency trading firm. Ben received his A.B. in mathematics from the University of Chicago in 2012.

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