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GIBSON, DUNN & CRUTCHER LLP
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LITIGATION

Daniel G. Swanson, a member of Gibson Dunn's preeminent antitrust and competition practice, is a highly respected trial and appellate litigator who has handled landmark antitrust cases — often involving the tech and media sectors, platform/network businesses and IP matters — over a career spanning more than 30 years. He is co-chair of the International Bar Association's antitrust section, the world's largest organization of international antitrust practitioners.

With a Ph.D. in economics from Harvard University in addition to his law degree, Swanson had a desire to pursue a career combining both economics and law, which led him to antitrust law. Much of his client work

is on matters oftentimes dealing with alleged monopolization or collusion that requires experts to explain highly complex details to the court.

"It's an interesting dynamic and a pleasure to talk to leading economists in this way," he said. "It's enormously rewarding and fascinating — and my mother knows what I do now that antitrust is in the news."

Swanson and his colleagues secured a unique win in defending Apple against a high-profile antitrust class action lawsuit on remand from the Supreme Court alleging that "Apple has monopolized the retail market for the sale of apps and has unlawfully used its monopolistic power to charge cust-

omers higher-than-competitive prices." *Apple Inc. v. Pepper*, 139 S. Ct. 1514 (2019).

In June 2021, the plaintiffs filed a motion for class certification. Apple opposed those motions in August and also moved to exclude the plaintiffs' sole economic expert, a Nobel Prize-winning economist, after Swanson took his deposition — which the court granted in March 2022. This is the first reported decision holding that a Nobel Prize winner's model and opinions should be excluded as unreliable and lacking foundation. *In re Apple iPhone Antitrust Litigation*, 4:11-cv-06714-YGR (N.D. Cal., filed Oct. 9, 2020).

— ERIC PARKER