

## Rising Star: Skadden's Evan R. Kreiner

By Christopher Cole

*Law360 (August 6, 2025, 4:04 PM EDT)* -- Evan R. Kreiner of Skadden Arps Slate Meagher & Flom LLP played a key role in Sabre Holdings Corp.'s win against US Airways in the first antitrust case tried to a jury verdict related to a two-sided transaction platform, landing him among the competition attorneys under age 40 honored by Law360 as Rising Stars.

### The biggest cases of his career:

Kreiner, who has spent most of his legal career at Skadden, sees his two biggest cases as the Sabre Holdings dispute and his successful defense of Activision in its acquisition by Microsoft Corp.

In the airline bookings case, he defended Sabre, which could have faced more than \$1 billion in claimed damages. A jury in May 2022 found Sabre not liable on one count and awarded damages of \$1 on the other. US Airways had argued in New York federal court that Sabre's corporate seat booking business purposefully squeezed out competition using exclusionary provisions.

"There were a few things that were challenging about that. One is that it's a pretty complicated industry, and it involves some complex questions of law related to what are called two-sided transactions," Kreiner told Law360.

It was the first such case tried to a jury verdict after the U.S. Supreme Court decision in *U.S. v. American Express*. In that case, justices held that American Express Co. did not violate federal antitrust law by preventing merchants from steering customers to other credit cards.

Kreiner said it was complex to explain to the jury why Sabre wasn't liable and US Airways' damages and liability theories "were all meritless." Part of Kreiner's role was to cross-examine the other side's experts, including a Nobel Prize-winning economist.

"Our team, I think, did a great job of communicating to the jury why our

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**Evan R. Kreiner**

**Skadden Arps Slate Meagher & Flom**

**Age:** 40

**Home base:** New York

**Position:** Partner

**Law school:** Columbia Law School

**First job after law school:** Associate at Skadden

side was right," he said.

Another of Kreiner's top cases involved going up against the Federal Trade Commission in its challenge to the \$68.7 billion Activision-Microsoft merger.

Skadden represented Activision in its acquisition by Microsoft, first defeating a preliminary injunction sought by the FTC and then successfully defending that result at the Ninth Circuit. The agency later dropped its in-house bid to block the deal.

Kreiner said one challenge was that the injunction trial moved at a rapid clip from the time the complaint was filed in court to the hearing. "And the hearing itself moved very rapidly. And so it was challenging to get all of all the witnesses and arguments in order in such a short period of time, particularly given the deal value and the number of issues involved," he said.

### **His proudest moment as an attorney:**

While it's hard to single out any one development, Kreiner said one aspect of his career that he's particularly proud of is having been a part of six trial teams.

In all of those trials or injunction hearings, "we've gotten a result in so far, we've achieved favorable results for our clients, and that has been particularly rewarding," he said.

"In today's world, where trials are few and far between, being able to have been a part of six of those teams over the last five years is something I'm quite proud of," Kreiner added.

### **What motivates him:**

Delivering results has always been top of mind for Kreiner, who has represented companies as varied as Chase Bank and residential solar installation company Freedom Forever LLC in antitrust disputes. "One of the biggest motivators that I have is every day, going out there, doing a good job for our clients," he said.

"They put a tremendous amount of faith in us to go out and protect their interests and prosecute their cases as best we can. And every day, I try to reward that faith in doing the best job I can for them," Kreiner said. "And so that's one of the main things that motivates me as a lawyer."

### **Why he's a competition lawyer:**

Kreiner, a Columbia Law School graduate who started as a summer associate at Skadden, said there are two main reasons he got into competition law: the subject matter and colleagues at the firm.

"It's a fascinating area of law. It's really always evolving, notwithstanding the fact that it really relates to only a couple federal statutes," he said. And it's a practice where "you have to learn everything about your client's business and their industry, which is also interesting and enables you to develop great relationships, and deep relationships, with your clients."

"Another reason why I've continued along this path is that I've gotten to work with some really great lawyers and people at Skadden, where I think we just have a phenomenal antitrust group," Kreiner said.

"I was interested in antitrust ever since I took antitrust 101 at Columbia," he said. "And I think before

that, the only real notion of the antitrust that I had was that there were some odd exemptions that Major League Baseball had from the antitrust laws."

Kreiner added that over the last 14 years in competition law, he's found that "you wind up getting novel situations, both factually and as questions of law."

**How he sees the practice of antitrust law changing:**

Like many in his field, Kreiner is keeping a close eye on artificial intelligence to see where it takes the legal profession. But he also noted that the advent of AI as a business tool will likely bring up a host of issues that are unique to competition law.

"It'll be interesting to see how the use of AI impacts both the access of law, and then there could be, in the future, some additional substantive questions of antitrust law related specifically to the use of AI," Kreiner said.

*--As told to Christopher Cole. Editing by Kristen Becker.*

*Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2025 Rising Stars winners after reviewing more than 1,100 submissions. Attorneys had to be under 40 as of April 30, 2025, to be eligible for this year's award.*