

Partner, New York

Antitrust/Competition



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Education

J.D., Columbia Law School, 2012
(Notes Editor, *Columbia Law Review*)
B.A., University of Pennsylvania, 2007

Bar Admissions

New York
U.S. District Court for the Southern and Eastern Districts of New York
U.S. Court of Appeals for the Second Circuit

Experience

Law Clerk, Hon. Cathy Seibel, U.S. District Court for the Southern District of New York (2014-15)

Evan Kreiner has extensive experience defending clients across all phases of antitrust and general commercial litigations and government investigations, securing successful outcomes for companies facing significant exposure in high-stakes class actions and cutting-edge, bet-the-company trials. Mr. Kreiner represents clients in a broad spectrum of industries, including technology, health care and financial services, and his experience covers a diverse array of matters, from state and federal antitrust and unfair competition claims to contractual disputes.

Clients regularly turn to Mr. Kreiner for his unique combination of deep antitrust acumen and trial experience, including with regard to government-initiated merger challenges and jury trials involving complex economic issues. He provides comprehensive guidance to clients throughout every stage of the litigation process, from attempts to resolve litigation before a complaint is filed through trials and appeals.

Mr. Kreiner's representative matters include:

- Sabre Corporation in:

- obtaining a successful jury verdict in its defense against claims for unlawful monopolization and unreasonable restraints of trade brought by US Airways, including direct examination of Sabre's technology expert and the cross-examination of a Nobel Prize-winning economist and the plaintiff's damages and technology experts
- defeating, at trial, the DOJ's challenge to Sabre's proposed acquisition of Farelogix, Inc.
- defeating, at a weeklong evidentiary hearing, American Airlines' attempt to block Sabre from launching a new travel search platform
- a breach of contract case against Hawaiian Airlines

- Greystar Real Estate Partners, LLC in investigations and litigations brought by the DOJ, state attorneys general and a putative nationwide class of renters alleging that multifamily property managers violated antitrust laws and inflated rents through the use of RealPage revenue management software
- Activision in the FTC's challenge to its acquisition by Microsoft, one of the most high-profile merger trials in recent years
- American Surety Company and its CEO in securing a favorable settlement in a putative class action that asserted state and federal antitrust claims
- Express Scripts and its affiliates in multiple litigations in federal and state courts alleging violations of Sections 1 and 2 of the Sherman Act, the RICO statute, and state antitrust and consumer protection laws, as well as investigations by state attorneys general
- JPMorgan Chase in multiple antitrust class actions regarding credit and debit card interchange fees and network rules (argued successful motion to dismiss on behalf of multiple bank defendants in *B&R Supermarkets v. Visa, et al.*)

- Freedom Forever in:

- defeating a motion for preliminary injunction in Delaware Chancery Court to block the company from hiring former dealer's sales agents based on tortious interference theory
- the successful defense against breach of contract claims in a weeklong arbitration

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- SmartSky Networks in litigation against Gogo alleging that Gogo violated state and federal antitrust laws by engaging in unlawful monopolistic conduct
 - Norfolk Southern Railway Co. in securing summary judgment in a federal antitrust case alleging that Norfolk Southern and three other major U.S. freight railroads used fuel surcharges to fix prices
 - American Express Global Business Travel in securing the dismissal of the DOJ's lawsuit challenging Amex GBT's \$540 million acquisition of CWT
 - Flagstar Bank in antitrust litigation regarding its alleged use of software to price mortgages
 - Watson Pharmaceuticals, Inc. and current and former affiliates in class action alleging anticompetitive reverse payment settlement regarding branded drug Lidoderm
 - Solar Pros in the successful defense of a tortious interference with contract claim against Vivint
 - Postmates in a class action alleging price fixing and anticompetitive conduct regarding online meal ordering platforms

Mr. Kreiner is ranked as one of the top 10 most active antitrust attorneys in the U.S. by Lex Machina over the course of a recent three-year span. In recognition of his work, Mr. Kreiner has been honored by *Law360* as one of its 2025 Rising Stars (Top Attorneys Under 40) and *Lawdragon* as one of its 500 X — The Next Generation and 500 Leading Global Antitrust & Competition Lawyers.