

Partner, Washington, D.C.

Antitrust and Competition



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Education

J.D., American University Washington
College of Law, 1994

M.P.A., American University, 1991

A.B., Harvard University,
Harvard College, 1983

Bar Admissions

District of Columbia

John H. Lyons represents clients in connection with the antitrust aspects of mergers and acquisitions, government civil non-merger investigations, class action litigation and corporate compliance counseling in a wide range of industries, including in particular electric power, chemicals, oil and gas, and financial exchanges and products.

Mr. Lyons' representative M&A matters include:

- **Allegheny Energy** in its \$4.7 billion acquisition by FirstEnergy;
- **The Bureau of National Affairs** in its \$990 million acquisition by Bloomberg L.P.;
- **CME Group** in its \$11.8 billion contested acquisition of Chicago Board of Trade, its \$9.3 billion acquisition of NYMEX, its index services joint ventures with McGraw-Hill and with Dow Jones & Co., and its \$1 billion global preferred strategic partnership with Brazilian exchange operator BM&F Bovespa S.A.;
- **Coastal Corporation** in its \$24 billion merger with El Paso Energy;
- **Compaq** in its \$25 billion merger with Hewlett-Packard;
- **Duke Energy** and **Progress Energy** in their \$13.7 billion merger;
- **Duke Energy** in its \$9.1 billion merger with Cinergy;
- **Dynegy** in its proposed concurrent acquisitions of assets from Energy Capital Partners and Duke Energy totaling \$6.25 billion, and its acquisition of assets from Ameren Corp.;
- **Ecolab** in its \$2.3 billion acquisition of Permian Mud Services;
- **Energry Corporation** in its joint venture with Koch Industries and in various asset acquisitions;
- **Exelon and Pepco Holdings Inc.** in Exelon's proposed \$6.8 billion acquisition of PHI;
- **Exelon** in its \$7.9 billion acquisition of Constellation Energy, its proposed \$15 billion merger with Public Service Enterprise Group and its proposed \$7.5 billion acquisition of NRG Energy;
- **GenOn Energy** in its \$1.8 billion acquisition by NRG Energy;
- **Global Santa Fe** in its \$18 billion acquisition by Transocean;
- **Great Plains Energy** in its \$1.7 billion acquisition of Aquila;
- **LANXESS** in its \$2.5 billion acquisition of Chemtura Corporation;
- **LCY Chemicals** in its proposed \$900 million global combination with Kraton Performance Polymers;
- **Marathon Ashland Petroleum** in its \$1.2 billion acquisition of assets from Ultramar Diamond Shamrock;
- **Marubeni** in its \$5.3 billion acquisition of Gavilon Group;
- **Merck KGaA** in its proposed \$17 billion acquisition of Sigma-Aldrich, its \$7.2 billion acquisition of Millipore and its \$275 million sale of EMD CropBioscience;

- **National Grid** in its \$11.8 billion acquisition of KeySpan and its \$2.9 billion sale of the Ravenswood generating station in New York City to TransCanada; and
- **Wisconsin Energy** in its proposed \$9.1 billion acquisition of Integrys Energy and related asset sales.

Mr. Lyons' representations in civil non-merger government investigations and litigations include:

- **Arch Chemicals** in litigation with Advanced Micro Devices (W.D. Tex.);
- **Entergy** in a U.S. Department of Justice antitrust investigation;
- **Glencore** subsidiary **Pacorini Metals** in two multidistrict litigations: *In re Aluminum Warehousing Antitrust Litigation* (SDNY) and *In re Zinc Warehousing Antitrust Litigation* (SDNY);
- **National Grid** and its subsidiary KeySpan in a U.S. Department of Justice investigation and settlement by consent decree of competitive issues in the New York City electric power capacity market, and in federal and state follow-on class actions filed in the U.S. District Court for the Southern District of New York and in New York Supreme Court in Bronx County, through successful appeals in the U.S. Court of Appeals for the Second Circuit and the New York Supreme Court, Appellate Division 1st Department;
- **New York Mercantile Exchange** in its dispute with Intercontinental Exchange, Inc. (Southern District of New York);
- a **petroleum refiner/marketer** in a non-public U.S. Federal Trade Commission investigation of possible price-fixing in Midwest gasoline markets; and
- a **trading company** in a non-public U.S. Department of Justice investigation of outage information sharing and possible collusion among electricity generators in California.

Mr. Lyons repeatedly has been selected for inclusion in *The Legal 500 United States* and was named a 2016 "Client Service All-Star" by The BTI Consulting Group for providing outstanding client service.

Publications

"Energy Law Handbook: Fourth Edition," *Skadden, Arps, Slate, Meagher & Flom LLP*, November 2016

"DOJ Scores as Electrolux and General Electric Abandon Deal; FTC Challenges (Again) Staple's Proposed Acquisition of Office Depot," *Skadden, Arps, Slate, Meagher & Flom LLP*, December 8, 2015

"Federal Trade Commission Loses Challenge to Steris-Synergy Deal," *Skadden, Arps, Slate, Meagher & Flom LLP*, September 25, 2015

"After Long Debate, FTC Issues Only General Principles Regarding Section 5," *Skadden, Arps, Slate, Meagher & Flom LLP*, August 21, 2015

"FTC Continues Vigorous Section 5 Enforcement," *Skadden, Arps, Slate, Meagher & Flom LLP*, July 23, 2014

"FTC Wins Action to Block Hospital-Physician Group Merger," *Skadden, Arps, Slate, Meagher & Flom LLP*, February 3, 2014

"White House Addresses Frivolous Patent Litigation," *Skadden, Arps, Slate, Meagher & Flom LLP*, June 6, 2013

"Second Circuit Affirms KeySpan Dismissal of Federal Antitrust Class Action," *Skadden, Arps, Slate, Meagher & Flom LLP*, September 24, 2012

"DOJ/FTC Ask if MFNs Are Anti-Competitive, and Get an Earful," *Skadden, Arps, Slate, Meagher & Flom LLP*, September 14, 2012

"KeySpan Wins Dismissal of Class Action Alleging Electricity Overcharges," *Skadden, Arps, Slate, Meagher & Flom LLP*, March 23, 2011

"FTC and DOJ Issue Revised Horizontal Merger Guidelines," *Skadden, Arps, Slate, Meagher & Flom LLP*, August 23, 2010

"Court Ruling Reaffirms Importance of Market Definition in Antitrust Merger Analysis," *Skadden, Arps, Slate, Meagher & Flom LLP*, April 28, 2010