

Partner, New York

Antitrust/Competition; Sports; Complex Litigation and Trials



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Education

J.D., Harvard Law School, 2008
B.A., Yale University, 2005

Bar Admissions

New York

U.S. Courts of Appeals for the
Ninth and Federal Circuits

U.S. District Courts for the Southern
and Eastern Districts of New York

Mike Menitove represents clients in antitrust and complex litigation matters across a broad range of industries, including health care, agriculture, technology and sports, among others.

Antitrust Litigation and Counseling

Mr. Menitove represents clients in litigation, including class actions and appeals, involving allegations of monopolization, price fixing, other restraints of trade and merger challenges. He provides antitrust counseling, including with regard to joint ventures and other competitor collaborations, distribution agreements and the exercise of intellectual property rights. He also represents clients in government investigations. His representations include:

- Caesars Entertainment, Inc. in class actions alleging that casino-hotels engaged in price fixing through the use of pricing algorithms provided by revenue management software
- Flannery Associates LLC, the developer of a new proposed city in Solano County, California, in a lawsuit alleging that landowners unlawfully conspired to raise prices
- Intuitive Surgical, Inc. in lawsuits brought by purported competitors and in a class action alleging that the company engaged in unlawful tying, exclusive dealing and monopolization in connection with the sale of its surgical instruments and servicing of its robotic-assisted surgery systems
- Sabre Corporation, a travel technology provider, in a trial victory in the Justice Department's challenge to its proposed acquisition of Farelogix Inc. and in the successful defense in a jury trial against claims accusing Sabre of monopolization and unlawful restraint of trade
- Express Scripts, Inc. and its affiliates in several 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 in investigations by state attorneys general
- SanDisk Corporation in obtaining (i) judgment for the company in a trial regarding its licensing of its flash memory technology, (ii) the dismissal of a competitor's exclusive dealing and attempted monopolization claims concerning the company's sale of SD memory cards and (iii) summary judgment in a class action alleging monopolization of markets for flash memory chips and products
- Anheuser-Busch InBev in defeating a motion for a temporary restraining order and securing dismissal of claims challenging the company's \$20.1 billion acquisition of Grupo Modelo
- Pfizer Inc. in a class action alleging that the company unlawfully manipulated its patent rights to maintain a monopoly with respect to the drug Neurontin

Sports Litigation and Counseling

Mr. Menitove has extensive experience representing professional sports leagues in litigation and counseling on their business practices and agreements, including matters involving licensing, broadcasting and enforcement of league rules. He has represented the National Hockey League in several matters, including in a putative class action and individual lawsuits brought on behalf of former NHL players alleging that they were not adequately warned about the potential long-term risks of concussions and subconcussive impacts. Mr. Menitove also has represented the National Football League and its teams in a variety of matters, including arbitrations involving disputes with players and other team personnel. In addition, he has represented the PGA TOUR, Inc. in several matters, including in a lawsuit filed by golfer Vijay Singh alleging that the TOUR failed to properly administer its Anti-Doping Program.