

Counsel, New York

Antitrust/Competition



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Education

J.D., Columbia University School of Law 1992 (Member and Articles Editor, *Columbia Law Review*; Harlan Fiske Stone Scholar)

B.A., Yale University, 1986 (*cum laude*)

Bar Admissions

New York

Experience

Law Clerk, Hon. Reena Raggi,
U.S. District Court for the Eastern
District of New York (1992-1993)

Thomas Pak advises on mergers and acquisitions, licensing and distribution agreements, government investigations and private litigation. In the M&A context, Mr. Pak has provided preliminary advice to clients on the potential antitrust risks associated with contemplated transactions, assisted them in preparing Hart-Scott-Rodino and other applicable regulatory filings, and has represented them before the U.S. Department of Justice, Federal Trade Commission, and other state and federal enforcement agencies investigating pending or completed transactions. He also has acted as counsel in antitrust litigation in both federal and state courts, representing both plaintiffs and defendants, in cases that have raised important issues relating to mergers, class action certification, intellectual property, exemptions and immunities, price-fixing, group boycotts, monopolization and price discrimination, among others. Additionally, Mr. Pak has provided advice to clients in licensing and distribution matters, including the licensing of intellectual property, dealer terminations and price discrimination.

Mr. Pak has worked with a wide variety of clients in industries as diverse as automobile, defense, auction services, high-tech, banking/finance, chemicals, building materials, professional sports, airline, health care, media and publishing.

Mr. Pak's representations have included:

- **Goldman Sachs Group, Inc.** in the sale of its stake in the YES Network to News Corporation;
- **Advantest Corporation** (Japan) in its US\$1.1 billion acquisition of Verigy Ltd. (Singapore). Both companies are semiconductor test equipment companies;
- **Express Scripts, Inc.** its acquisition of Medco, as well as a related private antitrust action brought in the U.S. District Court (W.D. Pa.), which resulted in partial dismissal of that action;
- **Wm. Wrigley Jr. Company** in its \$23 billion acquisition by Mars, Incorporated; and
- **China National Minerals** in *Animal Science Prods, Inc. v. China Minmetals Corp.* in the U.S. District Court (D. N.J.) and Third Circuit Court of Appeals in an antitrust class action litigation seeking to force the case into arbitration for allegedly price-fixing the commodity magnesite.