



David A. Balto

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FOCUS OF PRACTICE

Antitrust Litigation and Counseling

Financial Service Advocacy and Counseling

Health Care Regulatory Advice and Counseling

Intellectual Property Litigation

Advocacy before DOJ and FTC

EXPERIENCE

Has practiced antitrust law for over 20 years both in the Antitrust Division of the Department of Justice, the Federal Trade Commission and private practice.

Mr. Balto counsels a wide variety of health care companies including pharmaceutical manufacturers, medical device manufacturers, specialty pharmaceutical distributors, health care systems, and pharmacy chains. His counseling includes antitrust and consumer protection compliance, FDA regulation, strategic alliances, distribution issues, mergers and joint ventures. He has testified before the Congress and the FTC on health care competition issues.

Mr. Balto represents a wide variety of financial services entities and retailers on financial service competition issues. His clients include MoneyGram, PULSE, and Target. He advises a wide-variety of retailers on distribution, credit and debit card, and pharmaceutical regulatory issues.

EXPERIENCE (Cont.)

Mr. Balto frequently represents parties in merger

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investigations before the FTC and DOJ. He has led opposition to several mergers including First Data/Concord and Peoplesoft/Oracle.

Mr. Balto has over 15 years experience in the Antitrust Division of the Department of Justice and the Federal Trade Commission (1998-2001). He was the Policy Director of the Bureau of Competition of the Federal Trade Commission and attorney advisor to Chairman Robert Pitofsky (1995-1997). In these positions he was a senior advisor in all aspects of the FTC's merger and non-merger enforcement program. He helped litigate the challenges to the Staples/Office Depot, Drug Wholesalers, and Heinz/Beechnut mergers, the Intel monopolization case, and the challenges to anticompetitive conduct by several pharmaceutical companies.

Mr. Balto helped guide many of the FTC's seminal pharmaceutical enforcement efforts, identifying and helping litigate major cases such as the challenges to patent settlement agreements and other exclusionary conduct. He was an advisor in many of the FTC's pharmaceutical merger enforcement cases, including Glaxo/Smithkline, Merck/Medco, Lilly/PCS and Ciba/Sandoz. He was liaison on competition issues with the FDA and Congress and advised several Congressional committees on pharmaceutical competition and Hatch-Waxman reform.

Mr. Balto is a prolific author on antitrust, consumer protection, financial services, and health care competition. He speaks over 20 times a year before a wide variety of business and legal groups. He is Vice-Chair of the ABA Antitrust Section's Health care committee.

BAR ADMISSIONS

District of Columbia

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EDUCATION

B.A., University of Minnesota, 1972

J.D., Northeastern University, 1983