

Arthur J. Burke

650 752 2005
arthur.burke@dpw.com



Mr. Burke graduated from the Wharton School of the University of Pennsylvania in 1989 and in 1992 received his J.D., Order of the Coif, from the University of Michigan Law School, where he was an editor of the law review.

Mr. Burke is a member of Davis Polk & Wardwell's Litigation Department and practices in the Menlo Park office. He has represented clients in a variety of antitrust, securities, corporate governance and general litigation matters. As part of his antitrust practice, Mr. Burke advises clients on the competition law aspects of mergers and acquisitions and represents clients in investigations of mergers undertaken by federal antitrust authorities pursuant to the Hart-Scott-Rodino Act.

Recent M&A-related antitrust representations include:

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- Comcast in DOJ and FTC investigations of a number of acquisitions, including its \$18 billion joint acquisition (with Time Warner) of Adelphia Communications, its \$52 billion acquisition of AT&T's cable and broadband business and its acquisition of the Home Team Sports regional sports network from Viacom
 - Royal Caribbean Cruise Line in an FTC investigation of its proposed \$6.1 billion merger with Princess Lines
 - Argosy Gaming in an FTC investigation of its \$2.2 billion acquisition by Penn National
 - TheraSense, a diabetes monitoring equipment company, in an FTC investigation of its \$1.3 billion merger with Abbott Laboratories
 - KLA-Tencor, a manufacturer of semiconductor test equipment, in a DOJ investigation of its unsolicited offer for August Technology Corp.
 - NPTest, a designer, developer and manufacturer of advanced semiconductor test and diagnostic systems, in an FTC investigation of its \$660 million merger with a subsidiary of Credence Systems

Mr. Burke has also provided antitrust advice in connection with the formation of joint ventures and standard-setting organizations and consortia.

Mr. Burke joined Davis Polk in 1993 and became a partner in 2000. He clerked for the Honorable Douglas H. Ginsburg of the U.S. Court of Appeals, D.C. Circuit, from 1992 to 1993. He is admitted to the bars of California and New York.

Mr. Burke is a member of the American Bar Association's Section of Antitrust Law and is a vice-chair of the Antitrust Section's Intellectual Property Committee. He has also served as a member of the Antitrust Committee and Mergers Subcommittee of the Association of the Bar of the City of New York. He has contributed to the Antitrust Section's *Antitrust Law Developments* publications and to its *Antitrust Law Journal* and was co-editor of the Section's *Handbook on the Antitrust Aspects of Standard Setting* (2004). He has also been a speaker at antitrust seminars and conferences.