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Tim Muris

OF COUNSEL



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Timothy Muris is Of Counsel in O'Melveny's Washington, DC office and Co-Chair of the Firm's Antitrust and Competition Practice. He has broad public and private sector experience, including substantial experience in antitrust, consumer protection, privacy regulation, and strategic counseling.

Prior to joining O'Melveny in September 2004, Tim served as Chairman of the Federal Trade Commission (FTC) from 2001-2004. Before becoming the FTC's Chairman, Tim held several other key positions within the agency, including as Director of the Bureau of Consumer Protection from 1981-1983 and as Director of the Bureau of Competition from 1983-1985. Tim also served with the Executive Office of the President, Office of Management and Budget, from 1985 - 1988. He has been Foundation Professor at the George Mason University School of Law from 1988 to the present. In 2005, he served on President Bush's Advisory Panel on Federal Tax Reform.

Since returning to the private sector, Tim has represented clients before the FTC, the U.S. Department of Justice, other U.S. agencies, and competition authorities in other jurisdictions on a variety of antitrust matters, including merger and non-merger investigations. He has also advised clients on an array of consumer protection issues, including advertising substantiation and data protection issues. He also has testified before numerous Congressional Committees on antitrust, consumer protection, and regulatory and budget issues.

Tim has been recognized as a Leading Lawyer in Antitrust by the *Legal Times*, named by *Global Competition Review* as among the best antitrust lawyers in the United States, and recognized as a leading antitrust practitioner by *Chambers Global*, *Chambers USA*, *Legal 500*, *Best Lawyers in America*, and *Super Lawyers Magazine*. He also is listed in *Global Competition Review's* (GCR) *International Who's Who of Competition Lawyers*, and *GCR 100 - Global Elite* ranks his practice group in the top 20 competition practices in the world. *Chambers USA* ranks Tim in their impressive Band 2, calling his Antitrust and Competition Practice group "terrific nationally." *Chambers* further notes that, "Muris contributes to the team's ever-growing reputation for regulatory work. Friendly, diplomatic and calm, he commands a huge amount of respect from the agencies."

Illustrative Professional Experience

- Representing **Verizon Communications, Inc.** in its acquisition of MCI, Inc. before the U.S. Department of Justice and the Federal Communications Commission; and advising on broadband connectivity (Internet neutrality) issues before the Federal Trade Commission.
- Representing **ExxonMobil Corporation** before the Federal Trade Commission in its investigation of potential price gouging in the petroleum industry following Hurricanes Katrina and Rita.
- Providing strategic counseling to a **major payment cards network** on competition and consumer protection issues before the Federal Trade Commission and other federal entities.
- Representing a subsidiary of **Citigroup, Inc.** in the Federal Trade Commission's Business Opportunity Rulemaking proceeding.
- Representing **Northwest Airlines, Inc.** before the U.S. Departments of Justice and Transportation in its application for antitrust immunity.
- Representing a **consumer products conglomerate** before the Federal Trade Commission in an investigation involving advertising and marketing claims.
- Representing the **U.S. Telecom Association** on bundled price issues before the Antitrust Modernization Commission and in the Department of Justice and Federal Trade Commission's Single Firm Conduct Hearings.
- Assisting **Honeywell International** in obtaining clearance from the European Commission to acquire Novar.
- Representing a **major retailer** in an FTC investigation of its competitors' exclusionary conduct.
- Providing guidance to **major companies in the financial services industry** on antitrust, consumer protection, and data security concerns.
- Representing a **Fortune 100 pharmaceutical manufacturer** before the Federal Trade Commission in an investigation of advertising issues.
- Representing *amici* in seminal antitrust cases before the U.S. Supreme Court.

Prior FTC Experience

Director of the Bureau of Competition, 1983–1985

While in this position, Tim prosecuted three cases in which the U.S. Supreme Court overturned circuit court decisions against the Commission. See *FTC v. Ticor Title Insurance Co.*, 504 U. S. 621(1992); *FTC v. Superior Court Trial Lawyers Ass'n*, 493 U. S. 411 (1990); and *FTC v. Indiana Fed'n of Dentists*, 476 U. S. 447 (1986).

Director of the Bureau of Consumer Protection, 1981–1983

As Bureau Director, Tim launched the FTC's widely-acclaimed program to fight fraud and drafted the Commission's policy statements on deception and advertising substantiation.

professional focus

Antitrust and Competition
Health Care
Mergers and Acquisitions
US Antitrust and Competition
United States

education

University of California at Los Angeles, J.D., 1974: Order of the Coif; Associate Editor, *UCLA Law Review*

San Diego State University, B.A., 1971

admitted

District of Columbia; California

publications

Federal Trade Commission Announces Enforcement Actions Alleging Deceptive "Biodegradable" Claims (Antitrust and Competition Client Alert, June 2009)

Choice or Consequences: Protecting Privacy in Commercial Information (*University of Chicago Law Review*, Winter 2008)

Assistant to the Director of the Planning Office, 1974–1976

While in this position, Tim helped launch the Commission's program to scrutinize anticompetitive restraints among professionals.

Professional Activities

Member, Board of Directors, the Council of Better Business Bureaus, Inc.; Antitrust Section, American Bar Association

Author, Has written more than 60 books, monographs, and articles, including: "Principles for a Successful Competition Agency," *University of Chicago Law Review* (Vol. 72, Winter 2005); "Improving the Economic Foundations of Competition Policy," *George Mason University Law Review* (Vol. 12, Fall 2003); and "Looking Forward: The Federal Trade Commission and the Future Development of U.S. Competition Policy," 2 *Columbia Bus. L. Rev.* 359 (2003)

Co-Author, with J. Howard Beales, III, "Choice or Consequences: Protecting Privacy in Commercial Information" (*Chicago Law Review*, Winter 2008).