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Parker and Dyer Publish Analysis of Antitrust Issues in 2012 Elections for Corporate Counsel

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O'Melveny & Myers LLP Antitrust and Competition Practice Group Leader Richard Parker and counsel Courtney Dyer recently co-authored an article in the January 12, 2012, online edition of *Corporate Counsel* magazine examining the intersections of the political and legal worlds in the run-up to Election Day 2012.

Their article, "Considering Antitrust: Mergers and Acquisitions in an Election Year," is an installment in a series of columns O'Melveny is producing for the magazine. "The administration is entering an election year on the heels of the Department of Justice's victory in its first fully litigated merger challenge since its loss in the Oracle/PeopleSoft merger and the abandonment of AT&T's acquisition of T-Mobile after the DOJ filed suit last August 4," they wrote. "Given all this, our counsel to in-house lawyers may be surprising. We think, by and large, the best approach for companies involved in high-profile mergers and acquisitions is to ignore the political trends and do what lawyers have always been taught to do: analyze the law, the facts, and the markets; prepare as if trial were preordained; and advocate effectively in front of the staff of antitrust agencies. That is the best way to build the right foundation for success—even where pending transactions garner press interest, are reviewed by political appointees, attract commentary from think tanks or other commentators, or even become the subject of congressional hearings."

