

Jennifer Duncan Hackett

Partner



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PRACTICE AREAS

- Antitrust and Unfair Competition
- Antitrust Counseling & Compliance
- Breach of Contract
- Class Actions
- Commercial Litigation
- Corporate Plaintiff
 Affirmative Recovery
- Indirect and Direct
 Purchaser Class Actions
- Securities/Securities
 Lending

BAR AND COURT ADMISSIONS

- U.S. District Court for the District of Columbia
- U.S. District Court for the District of Maryland
- State Courts: District of Columbia, Maryland, Oregon

EDUCATION

 New York University School of Law, J.D., *cum laude*, 2001 Jennifer is Managing Partner of the Washington D.C. office. An experienced litigator, she is involved in all aspects of complex antitrust, commercial, and financial services litigation, and has been instrumental in trials, international arbitrations, settlement negotiations, and federal appeals. Jennifer has also provided antitrust compliance counseling in a variety of scenarios and has advised clients on all aspects of premerger notification, including Hart-Scott-Rodino filings and gun-jumping issues.

Jennifer's practice focuses on representation of corporate clients as "opt-out" plaintiffs in complex antitrust matters and in monopolization cases in a wide variety of industries and markets. She has represented clients in the financial services sector, pharmaceutical/life sciences arena, and a variety of commercial industries. In addition to her antitrust work, Jennifer has represented clients in many different complex commercial litigation cases.

REPRESENTATIVE MATTERS

Represents Freddie Mac and the Federal Deposit Insurance Corporation as Receiver for 38 Closed Banks in the LIBOR antitrust litigation.

Member of the trial team, including oral arguments and proffering witnesses, in *ZF Meritor LLC, et al. v. Eaton Corporation*, U.S. District Court for the District of Delaware, which obtained a liability verdict for plaintiffs in a bifurcated antitrust trial involving monopolization and exclusive dealing issues. Principally involved in drafting of appellate briefs submitted in the Third Circuit regarding liability and damages issues. After a successful appeal in the Third Circuit, the case was remanded for a damages trial, and settled on the eve of trial for \$500 million, one of the largest antitrust settlements in recent years.

Principally involved in drafting of appellate briefs submitted to the Ninth Circuit Court of Appeals in a contractual dispute involving liability issues arising out of a helicopter crash in California. Argued the appeal before the Court of Appeals (*Columbia Helicopters Inc. v. Carson Helicopters, Inc.*).

ARTICLES & PRESENTATIONS

"Amazon and the Independent Bookseller: A New Look at Market Definition?," American Antitrust Institute Online Symposium: Technology and Market



Jennifer Duncan Hackett

• Lewis & Clark College, B.A., with honors, 1995

Definition, June 24, 2020, author

"The Price is Right: How to Know," ABA Antitrust Law Spring Meeting, Washington, DC, April 11-13, 2018, co-presenter

"Blurred Lines: Assessing Sherman Act Exposure For Hub-And-Spoke Agreements," American Bar Association webinar, May 23, 2017, co-presenter

Antitrust Scrutiny: Ways to Plan, Prepare, and Respond, National Constitution Center Webcast, December 17, 2014

Calculating the Risks and Rewards—The Basics of Antitrust Economics, Lawline Webcast - Managing Your Risk of Exposure Under U.S. Antitrust Law: A Five-Part Series Presented by Dickstein Shapiro LLP, May 2, 2014

Enforcement and Litigation Under Sherman Act § 1, Lawline Webcast -Managing Your Risk of Exposure Under U.S. Antitrust Law: A Five-Part Series Presented by Dickstein Shapiro LLP, May 2, 2014

PRO BONO ACTIVITIES

Jennifer has been actively involved in pro bono efforts throughout her career in a number of different areas. Most recently, she represented the National Association of the Deaf in a civil rights case involving federal employees. She previously served as outside counsel for the Yellow Ribbon Fund, a non-profit organization that supports injured service members. Other experience includes litigating a prisoner's rights case in federal district court, contributing to two amicus curiae briefs to the U.S. Supreme Court in a habeas corpus case, representing domestic violence victims, and coordinating pro bono work with domestic violence organizations.

NOTEWORTHY

Selected to The Top 50 Attorneys of DC for 2023 by Attorney Intel

Named among the 2019-2023 Lawdragon "500 Leading Plaintiff Financial Lawyers"

Named a Washington, DC "Super Lawyer" in Antitrust Litigation in 2020



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Selected for inclusion in Who's Who Legal: Competition by *Global Competition Review*, 2016-2024, and as a Thought Leader, 2020-2024

Legal 500: The Client's Guide to the US Legal Profession, June 5, 2013