ZELLE LLP

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 (Jen) Hackett is the Office Managing Partner of the Washington, DC office. She has litigated complex antitrust, commercial, and financial services cases, including trials, international arbitrations, settlement negotiations, and federal appeals.

Jennifers practice involves a wide range of litigation, antitrust counseling, and appellate matters, including representation of opt-out, class, and individual plaintiffs and defendants in antitrust and financial services cases, premerger notification advice and assistance with Hart-Scott-Rodino filings, antitrust and litigation analysis in the financial services sector, international arbitration in the pharmaceutical/life sciences arena, and litigation in various complex contractual dispute cases.

Jennifer has represented companies that opted out of price-fixing class actions in the financial services sector, pharmaceuticals, vitamins, feed additives and corrugated boxes, as well as a number of clients asserting monopolization claims against competitors.

Jennifer is a frequent speaker and CLE instructor on various antitrust topics, as well as a member of the American Antitrust Institute Advisory Board.

REPRESENTATIVE MATTERS

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

Represented a manufacturer of sheet wave machines in a Section 2 case against a competitor in case that went to a jury trial and later to the 9th Circuit.

Represented a heavy duty transmissions manufacturer 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 jury trial involving monopolization and exclusive dealing 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

- Lewis & Clark College, B.A., *with honors*, 1995

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 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 RewardsThe 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

PROFESSIONAL AFFILIATIONS

American Antitrust Institute (AAI) - member of the Advisory Board

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 prisoners 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

Recognized in Band 3 by the Chambers USA Guide for the District of Columbia Antitrust: Mainly Plaintiff category, 2025-2026.

Cited in the *The Legal 500 US* ranking of the firm for Antitrust Civil Litigation/Class Actions: Plaintiff in the United States, 2024, 2025

Named among the 2019-2026 Lawdragon "500 Leading Plaintiff Financial Lawyers"

Named a Washington, DC "*Super Lawyer*" in Antitrust Litigation in 2020, 2026

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

Legal 500: The Clients Guide to the US Legal Profession, June 5, 2013