



## Vishal Mehta

### Partner

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## OVERVIEW

Vishal Mehta is a partner in the firm's Antitrust, Competition, and Trade Regulation practice group. He advises clients on all aspects of antitrust law, with a focus on mergers and acquisitions.

Vishal has extensive experience representing clients before the US Department of Justice Antitrust Division (DOJ), Federal Trade Commission (FTC), state attorneys general, and foreign competition authorities in all phases of merger review. He leads high-profile merger investigations, advising clients on all aspects of the deal process, including risk assessment, negotiations, due diligence, information exchanges, gun jumping, Hart-Scott-Rodino (HSR) Act issues, global merger control, Second Request compliance, advocacy, enforcer engagement, economic analysis, remedies, litigation, and integration planning.

Vishal's practice encompasses sectors such as artificial intelligence (AI), agriculture, agtech, automotive, banking, consumer, digital advertising, education and educational technology, financial services and financial technology (fintech), gaming, health care, insurance, life science, real estate, streaming and music, robotics, semiconductors, software, and sustainable infrastructure. He supports a wide range of clients, including public and private firms, private equity sponsors, venture capital firms, emerging companies, and other businesses, and his work spans a broad range of deal types. Vishal is well-versed in the language of both antitrust and transactional law. His knowledge of deal structuring and mechanics uniquely positions him to steer clients through the most challenging HSR and competition issues.

Vishal is also one of the world's leading professionals handling antitrust issues implicated by AR/VR, video games, app stores, and smart tech, advising on issues such as vertical restraints, restrictive covenants, collaborations, information exchanges, app store policies, dealings with developers, and business strategy. He has a deep understanding of digital ecosystem architecture and the evolving global regulatory landscape as it relates to digital platforms.

Vishal also counsels clients on the spectrum of antitrust issues arising in the ordinary course of business. His prior work as a secondee in-house at a global natural resources company gives him a unique perspective on how to assess risk; provide clear, practical guidance to business; and mitigate risk through effective compliance guardrails. In addition to M&A, counseling, and compliance, he has represented companies in antitrust litigation involving claims of price-fixing, hub-and-spoke conspiracy, and monopolization, and defended clients in civil non-merger government investigations at the state, federal, and international levels.

## ACHIEVEMENTS

- Recognized by *The Legal 500 United States* as a recommended lawyer for Antitrust: Merger Control, 2022

## SPEAKING ENGAGEMENTS

- Panelist, GCR Live: Antitrust in the Digital Economy, San Francisco (May 17, 2022).
- Panelist, Competition Policy International MootComp Conference, Digital Economy & Merger Control: Lessons and Implications for Latin America (Oct. 15, 2021).
- Panelist, MassBio GC Roundtable, Lessons Learned: Navigating License and Collaboration Agreements in an Evolving Life Sciences Market (Sept. 28, 2021).
- Panelist, The Knowledge Group, Heightened Antitrust Scrutiny on Technology Companies: A Comprehensive Compliance Guide (Oct. 8, 2019).

## EDUCATION

- J.D., Vanderbilt Law School, 2008
- B.A., University of Pennsylvania, 2002

## ADMISSIONS

- Bar of District of Columbia
- Bar of Florida

## THOUGHT LEADERSHIP POWERED BY HUB

- 21 February 2024, The New US Merger Guidelines Unpacked
- 31 January 2024, FTC Announces New HSR Notification Thresholds and Filing Fees for 2024

## OTHER PUBLICATIONS

- FTC Announces New Increased HSR Filing Thresholds for 2023, Client Alert, 24 January 2023
- Congress Increases Merger Filing Fees for Large Deals and Makes Other Significant Changes, Client Alert, 10 January 2023
- The Vampire Diaries: Antitrust Scrutiny Intensifies Around Private Equity, *Competition Policy International*, 27 October 2022

- U.S. Antitrust Authorities' Recent Scrutiny of Interlocking Directorates Signals Escalation of Enforcement Under Section 8 of the Clayton Act, Client Alert, 21 October 2022
- Antitrust Scrutiny Intensifies Around Private Equity Healthcare Transactions, Client Alert, 22 June 2022
- Cargotec/Konecranes: Failed Shipping Equipment Merger Illustrates Aggressive UK/U.S. Enforcement and Increased Skepticism of Remedies, Client Alert, 18 April 2022
  - Shortlisted for Concurrences Antitrust Writing Award, Best Business Article (Mergers)
- What to Expect from Merger Guidelines Modernization, *Law360*, 25 January 2022
- U.S. Antitrust Agencies Announce Review of Merger Analysis Framework, Client Alert, 20 January 2022
- New FTC Policy Restricts Future Acquisitions for Some Merging Parties, Client Alert, 28 October 2021
- Senate Passes Bill to Increase HSR Filing Fees for Large Transactions, Client Alert, 21 June 2021
- FTC Announces Temporary Suspension of Early Termination, Client Alert, 9 February 2021
- FTC Announces New Decreased HSR Filing Thresholds for 2021, Client Alert, 3 February 2021
- FTC-Proposed HSR Amendment Could Make It Easier for Activist Investors and Hostile Bidders to Keep Positions Confidential from Issuers, Client Alert, 25 September 2020
- Trends in State Antitrust Enforcement: Colorado Expands Attorney General's Authority to Challenge Transactions on Competition Grounds, Client Alert, 15 April 2020
- Antitrust Filing Obligations in the Time of COVID-19 and Financial Distress, Client Alert, 30 March 2020
- The Impact of COVID-19 on U.S. Antitrust Enforcement: Updates and Practical Guidance for M&A, Client Alert, 19 March 2020
- New HSR Filing Thresholds for 2020, Client Alert, 29 January 2020
- Uncharted Territory: U.S. Antitrust Enforcement in the Technology Sector, Client Alert, 24 September 2019
- FTC Hearings Examine the Antitrust Implications of Common Ownership, Client Alert, 1 February 2019
- FTC Announces that Owner of New York Knicks, Rangers Agrees to Pay Civil Penalty for HSR Act Violation, Client Alert, 20 December 2018
- Criminalization of Wage-Fixing and No-Poaching Agreements, *Competition Policy International*, May 2017
- Note on Behalf of The Business and Industry Advisory Committee to the OECD, Hearing on Big Data, Big Data: Bringing Competition Policy to the Digital Era, November 2016
- FTC v. Staples/Office Depot: The Limits of Putting the Government on Trial, *The Threshold*, Summer 2016
- Program Review: Deviation in Dominance—Why is Your Client a Monopolist There, But Not Here?, *Monopoly Matters*, Fall 2014

- The Failing Firm Defense: Alive and Well, *The Antitrust Source*, August 2011

## NEWS & EVENTS

- 6 February 2024 , Beyond Section 8 - Addressing Director Interlock Issues, Hosted by American Bar Association
- 4 January 2024, K&L Gates Continues Washington, D.C., Office Growth With Antitrust Partner Addition

## AREAS OF FOCUS

- Antitrust, Competition, and Trade Regulation

## REPRESENTATIVE EXPERIENCE

### Technology

- Baillie Gifford in investments in Blockchain.com, Convoy, and Psiquantum.
- Ethos Capital in its acquisition of Donuts, Inc.
- Infobip in equity financing and strategic investment by One Equity Partners.
- Kahoot! in its acquisition of Clever Inc. for \$500 million.
- Kahoot! in a secondary investment by General Atlantic.
- Onsemi in its acquisition of GT Advanced Technologies.
- Osmo in its sale to Byjus for \$120 million.
- Pivotal Investment Corporation II in its merger with XL Fleet, valued at over \$2 billion.
- Softbank Group Corp. in the merger of Yahoo Japan and Line.
- Softbank Group Corp. and SoftBank Vision Fund in dozens of transactions.
- Temasek in over a dozen investments in FBN, InTapp, Pivot Bio, Stripe, Verily, and others.
- Uber Technologies in the sale of Uber Elevate to Joby Aviation.
- Unity Technologies in its acquisition of Parsec for \$320 million.
- Unity Technologies in its acquisition of WETA for \$1.625 billion.
- Visa in its acquisition of YellowPepper.

### Healthcare + Life Sciences

- Alpine Investors LP in its acquisition of 24 Hour Home Care.
- DocASAP in equity financing led by Optum Ventures.

- Dosatron International in its sale to Ingersoll Rand for \$90 million.
- Fidelio Capital in its acquisition of Veterinary Orthopedic Implants.
- Fidelio Capital in its acquisition of BioMedtrix.
- Gigagen in its sale to Grifols for approximately \$80 million.
- MyChem in its sale to Maravai Life Sciences for \$240 million.
- Rakuten Medical Inc. in its acquisition of phthalocyanine dyes from LI-COR Biosciences.
- Reflexion in its Series D equity financing.
- Uprising in leading a \$1.2 billion funding round for Devoted Health.

### **Agriculture + AgTech**

- AgroFresh Solutions, Inc. in its sale to Paine Schwartz Partners.
- AM FRESH in its acquisition of International Fruit Genetics (IFG).
- Tate & Lyle in its acquisition of Sweet Green Fields for approximately \$140 million.
- Marrone Bio Innovations in its merger with Bioceres Crop Solutions worth \$236 million.
- Paine Schwartz Partners in its acquisition of Registrar Corp.
- Paine Schwartz Partners in its sale of FoodChainID to Berkshire Partners.
- Sierra Pacific Industries in its acquisition of Seneca Sawmill for approximately \$1 billion.

### **Energy**

- Global natural resource company in the sale of its US onshore shale assets for more than \$10 billion.
- Sustainable infrastructure in its acquisition of Atlas Organics.
- Sustainable infrastructure fund in \$2 billion equity financing.
- Halliburton in its proposed acquisition of Baker Hughes for \$38 billion.
- MAP Energy in the sale of its renewable energy business to Global Infrastructure Partners.
- National Oilwell Varco in its acquisition of Robbins & Myers for \$2.5 billion.
- National Oilwell Varco in its acquisition of Ameron International for \$780 million.
- Regency Energy Partners in its acquisition PVR Partners for \$5.6 billion.
- Regency Energy Partners in its acquisition of Eagle Rock Energy Partners for \$1.3 billion.
- Palmetto Solar in a \$375 million Series C financing.
- Palmetto Solar in a \$150 million investment by TPG Rise Climate.

- Southwest Gas in its acquisition of Questar Pipelines for \$1.545 billion.
- Xpansive in a \$400 million equity financing led by Blackstone Energy Partners.

### **Media + Telecom**

- Liberty Interactive Corp. in its sale of Provide Commerce to FTD for \$430 million.
- Liberty Interactive Corp. in its acquisition of HSN, Inc.
- Liberty Media Corp. in its acquisition of Formula One for \$8 billion.
- Lionsgate in its acquisition of Starz for \$4.4 billion.
- SoundCloud in a \$75 million equity financing from SiriusXM.
- Univision in several matters, including a \$1.2 billion investment by Grupo Televisa.

### **Consumer Products**

- Honey Birdette in its sale to PLBY Group for approximately \$430 million.
- Main Post Partners in its acquisition of me & my BIG ideas, Inc.
- MeadWestvaco in the sale of its consumer office products business to ACCO Brands.
- Global food and beverage company in sale of eye care division for \$11 billion.
- Global food and beverage company in its acquisition for \$3.7 billion.
- Patagonia in a major non-profit corporate restructuring.
- Snyder's of Hanover in its merger with Lance.

### **Industrial**

- Caterpillar in its acquisition of Bucyrus International for \$7.6 billion.
- Ingevity Corp. in its acquisition of Georgia-Pacific's pine chemicals business for \$310 million.
- MedServe in connection with its sale to Stericycle for \$185 million.
- Shinagawa Refractories in its acquisition of refractory assets from Saint-Gobain S.A.
- Tinicum, L.P. in its acquisition of Robert Family Holdings, LLC.
- Engineering and technical services company in sale valued at \$830 million.

### **Other Sectors (Financial Services, Real Estate, Aviation)**

- Community Choice Financial in its acquisition of assets from CURO Group for \$345 million.
- GCA Corp. in its sale to Houlihan Lokey for \$591 million.
- MTY Food Group in its acquisition of BBQ Holdings for \$200 million.
- MTY Food Group in its acquisition of Wetzel's Pretzels for \$207 million.

- Odevo in its acquisition of KW Property & Management Consulting.
- Odevo in its acquisition of Spectrum Association Management.
- Safford Automotive in its acquisition of Brown Automotive Group.
- Sekisui House in its acquisition of Chesmar Homes for \$514 million.
- Sekisui House in its acquisition of The Holt Group.
- Sky Harbor Group in SPAC deal with Boston Omaha worth approximately \$777 million.
- The Space Between in leading a \$100 million equity financing for LTSE.
- Unical Aviation in its sale to Platinum Equity.