



## Brian A. Ratner

### Experience

Brian has extensive experience representing U.S. and international businesses in complex litigation at the trial and appellate levels. He is particularly experienced in litigating and resolving antitrust claims in U.S. and European courts, recovering more than a billion dollars for his corporate clients and the classes he has represented.

Brian is Vice Chair of the firm and serves on the firm's Global Executive Committee. His broad global experience demonstrates his ability to tackle and find solutions for the most novel legal issues, as well as represent his clients at all stages of global antitrust litigation and other complex business disputes, whether in the discovery, damages, trial, appeal or settlement phase, or whether in the U.S., Europe, or globally. This unique combination enables him to counsel and act for clients comprehensively, in a commercially sensitive manner, and wherever necessary.

### Clients

Brian represents clients from a wide range of sectors including automotive, retail, transportation, petroleum, utility, financial services, and pharma.

Brian currently represents purchasers of auto parts, car glass, polyurethane foam, air freight services, Visa/MasterCard services, trucks, power cables, carbon graphite, elevators, and pre-stressing steel in their individual cartel damage claims in Europe. Several of these clients are listed in Fortune Global 500 and Forbes Global 2000.

Additionally, in the marine hose matter, on behalf of a group of oil and gas companies, he led the negotiations with cartelist Parker ITR which produced a first of its kind private global settlement agreement.

### PRACTICE AREAS

#### Antitrust / Competition

- *In re Vitamins Antitrust Litigation* – Brian served as co-lead counsel in the landmark case on behalf of vitamin direct purchasers who were overcharged as a result of a ten-year global price-fixing and market allocation conspiracy. The case settled for over \$1 billion, and in 2003 the

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case went to a jury trial resulting in a verdict of \$148 million in trebled damages. The jury trial was the twelfth largest U.S. jury verdict that year.

- *Empagran, S.A. et al. v. F. Hoffmann-LaRoche, Ltd., et al.* – Brian was one of the principal lawyers that led this case on behalf of foreign vitamin purchasers. The case was litigated all the way to the Supreme Court, resulting in a groundbreaking judgment on the scope of the U.S. Sherman Act jurisdiction. The case was designated as the “Matter of the Year” by *The Global Competition Review*.
- *In re Vitamin C Antitrust Litigation* – Brian served as co-lead counsel this case alleging a conspiracy to fix the price and limit the supply of Vitamin C sold for export to the United States. The case resulted in entry of a 2013 judgement for \$153.3 million post jury verdict in the director purchasers’ favor – the thirteenth largest U.S. verdict in 2013. To date, settlements total \$32.5 million. The jury verdict was appealed to the U.S. Supreme Court which ruled unanimously in 2018 in favor of the class and set the standard of deference to be afforded a foreign government’s submissions in U.S. courts. In 2018, the case was awarded *The Global Competition Review’s* “Litigation of the Year – Cartel Prosecution” award in 2018, as well as *the American Antitrust Institute’s* “Outstanding Antitrust Litigation Achievement in Private Law Practice” honor.
- *Oncology & Radiation Associates v. Bristol-Myers Squibb Co.* – Brian served as one of the lead lawyers in a case of unlawful monopolization against a drug manufacturer, which settled for \$65 million.
- *Molecular Diagnostics Laboratories v. Hoffmann-La Roche, Inc., et al.* – Brian served as co-lead counsel in a case alleging unlawful monopolization on behalf of purchasers of an enzyme used in DNA amplification, human-genome research, and medical diagnostics, which settled for \$33 million.
- *In re American Express Anti-Steering Rules Antitrust Litigation* – Brian serves as one of the lead lawyers representing the class.
- Brian has been representing car manufacturers and other OEMs including BMW, PSA and GKN regarding their auto parts cartel damage claims, and helping them achieve outstanding recoveries.
- Brian acted on the defense side on behalf of Geodis in a U.S. class action against freight forwarders alleging a conspiracy to fix surcharges on air cargo shipments.

### Antitrust Counseling and Compliance

- Brian advises businesses on the antitrust implications of their business practices and supply relationships, and works with them to craft approaches to both eliminate or reduce potential risk as well as protect and

enhance their ability to pursue antitrust claims.

## Financial Services and Securities

- *MTB Investment Partners, LP v. Siemens Hearing Instruments, Inc.* – Brian served as one of the lead counsel in this securities fraud matter that led to a settlement that returned more than 115% of recognized losses after attorneys' fees and expenses to former shareholders in HearUSA, Inc.

## WHAT OTHERS SAY

- For the past 6 years, *The Legal 500*, which provides comprehensive worldwide coverage on legal services and rankings, selected Brian as one of the "Leading Lawyers" in the U.S. representing plaintiffs in antitrust matters, stating that: "[T]he 'incredibly impressive . . . Brian Ratner [is a] highly skilled negotiator and litigator, and real fighter with an outstanding strategic sense . . . brilliant lawyer Brian Ratner is a very smart and business-oriented negotiator . . . [He] thinks strategically, is an excellent negotiator and has a solid foundation of substantive law.'" In 2011, the publication also recommended him as an "engaging, highly competent professional who can simplify complex antitrust matters and make them comprehensible to a non-antitrust attorney."
- Brian has been selected to the Washington, DC *Super Lawyers* list year after year (2014-Present)
- Brian was named to the prestigious *Lawdragon* list of the top 500 "Leading Lawyers in America" (2018-Present) and to the *Lawdragon* list of "Leading Plaintiff Financial Lawyers" (2019)
- The *American Antitrust Institute* honored Brian, as part of the *Vitamin C* case team, with the award for "Outstanding Antitrust Litigation Achievement in Private Law Practice" (2018). Soon after, the *Global Competition Review* honored the team with the award for "Litigation of the Year – Cartel Prosecution" (2019).
- *Who's Who Legal* named Brian as a top attorney in the Competition: Plaintiff category (2018-Present), stating that: "Brian Ratner has 'a brilliant legal mind while being extremely pragmatic and commercially minded', comment interviewees. He is praised as a lawyer who 'goes the extra mile', and whose 'high-quality work product is feared by competitors.'"
- The *Benchmark Litigation* Plaintiff Guide to America's Leading Plaintiff's Firms and Attorneys named Brian as one of the country's top "Antitrust Litigation Stars" (2013), and as one of Washington, DC's "Local Litigation Stars" (2013-15)

- Brian was honored by *Law360* as one of its “Rising Stars” (2012) and was previously named to the *Legal Times*’ “40 under 40” list (2009), which recognized rising legal stars expected to play a key role in the Greater Washington legal community for years to come.

Disclaimer: The DC Super Lawyers list is issued by Thomson Reuters; the Legal 500 is published by Legalease Ltd. The Benchmark Plaintiff Guide is published by Euromoney Institutional Investor PLC and Institutional Investor, Inc. The Law360 Rising Stars list is issued by Portfolio Media, Inc. The Legal Times “40 under 40” list is issued by American Lawyer Media. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

### EDUCATION

University of Pittsburgh School of Law, J.D., 1999

Indiana University- Bloomington, B.A.J., 1996

### BAR ADMISSIONS

Pennsylvania

New Jersey

District of Columbia

The United States Supreme Court

Several Federal Courts

### AFFILIATIONS & MEMBERSHIPS

Managing Editor, *Journal of Law and Commerce*

President, CertifiKID, LLC, a deal website focused on kids’ activities and family entertainment. In 2010, Brian co-founded the business with his wife Jamie who serves as CEO and runs the day to day operations. His focus with the business is on high level business strategy and partnerships, as well as legal and financial issues. In April 2019, Brian and Jamie appeared on the popular ABC television show *Shark Tank* and cut a deal with Kevin O’Leary (a/k/a “Mr. Wonderful”), one of the top five biggest investments Mr. O’Leary has made in any company in ten seasons of *Shark Tank*.

## NEWS & PRESS

"Lawyer Limelight: Brian A. Ratner" *Lawdragon*, July 7, 2019

"What It Takes to Dominate in the Elite Game of International Litigation"  
*The American Lawyer*, September 28, 2017

"Chambers & Partners, The Legal 500, and Global Competition Review Laud Hausfeld in Competition Law", *The Legal 500*, June 8, 2017

The Legal 500 Names Hausfeld to Top Tier of Firms in Antitrust for Seventh Year  
, *The Legal 500*, July 7, 2016

Super Lawyers Recognizes Thirteen Hausfeld Attorneys, *Super Lawyers*, April 17, 2015

Hausfeld LLP Named as Tier 1 Firm Nationwide in Mass Tort and Class Action:  
Plaintiff Representation - Antitrust by *The Legal 500*, July 2014

Super Lawyers Recognizes Six Hausfeld Attorneys, *Super Lawyers*, April 25, 2014

"Bar hopping", *Global Competition Review*, June 30, 2014

"Plaintiffs' antitrust bar", *Global Competition Review*, June 30, 2014

Hausfeld LLP Named as one of the top three U.S. firms in Antitrust Plaintiff  
Representation by *The Legal 500*, July 2013

"Jury Finds Chinese Vitamin C Makers Fixed Prices; \$153.3M Judgment Entered"  
, *Mealey's Legal News & Litigation Reports*, March 14, 2013

Hausfeld LLP Named as Tier 1 Firm Nationwide in Plaintiff Antitrust Litigation  
by *The Legal 500*, June 2012

"U.S. Class Action Lawyers Look Abroad", *Reuters*, March 20, 2012

Rising Star: Hausfeld's Brian Ratner, *Law360*, March 22, 2012

"Brian Ratner, People on the Move", *Washington Business Journal*, April 4, 2012

"Hausfeld, Hausfeld, Hooray", *Legal Bisnow*, April 6, 2012

"Analysis: Private antitrust lawsuits on the decline in U.S.", *Reuters*, June 13, 2011

"Chinese Cos. Can't Shake Vitamin C Antitrust MDL", *Law360*, September 7, 2011

"Vitamins cartel action filed against Roche in Panama", *Law360*, September 11,  
2009

2009 *Legal Times* "40 under 40" list recognizing rising legal stars in Washington,  
July 14, 2009

"Unprecedented Global Settlement Reached with Parker ITR in Marine Hose  
Cartel

", *Class Action Litigation*, March 13, 2009

Hausfeld LLP announces first-ever private settlement of global cartel, March 6, 2009

Hausfeld LLP Announces Distribution of Settlement Funds in TAQ Antitrust Case , November 19, 2009

"Private settlements could gain steam, lawyers say", *Law360*, March 12, 2009

"'Shell Model' Opens Door to European Class Actions", *The American Lawyer*, January 7, 2008

## PUBLICATIONS

Co-Author, Chapter 39: USA, *The International Comparative Legal Guide to Cartels & Leniency*, 2014

Co-Author, "Principles and Objectives of Formal and Informal Settlements in EU Competition Cases: The Claimant's Perspective", paper submitted for the European University Institute's 13th Annual Competition Law & Policy Workshop, publication forthcoming

Co-Author, Michael Hausfeld and Brian Ratner, "Prosecuting Class Actions and Group Litigation - Understanding the Rise of International Class and Collective Action Litigation and How this Leads to Classes that Span International Borders", *World Class Actions*, Chapter 26, September 2012

Co-Author, Brian A. Ratner and Sathya S. Gosselin, *The Novelty of Wal-Mart v. Dukes*, American Bar Association, Business Torts & Civil RICO Committee, *Business Torts & RICO News*, Vol. 8, Issue 1, Fall 2011

Co-Author, "A Proposal for a Transitional Forum", submitted for Antitrust Claims Against Foreign Firms and Cartels conference (Law Seminars International), September 7-8, 2006

## PRESENTATIONS & SPEECHES

Panelist, *Criminal Antitrust Panel*, Edward Bennett Williams Inn of Court, (November 15, 2018)

Panel Speaker, "International- Private Antitrust Enforcement Around the Globe", AAI 11th Annual Private Antitrust Enforcement Conference (November 7, 2017)

Panel Speaker, "Global antitrust litigation - A brave new world", GCR Live 5th Annual Antitrust Law Leaders Forum, (February 5-6, 2016)

Panel Speaker, "Private Enforcement: New International Approaches and Developments", Northwestern Law, (May 20, 2015)

Panel Leader, "Delivering Substantial Shareholder Returns Through Cartel Damages Litigation, on a Risk-Free Basis and with No Financial Investment", 10th Corporate Counsel & Corporate Compliance Exchange, (April 7-9, 2014)

## IN THE NEWS

September 19, 2019

Fifteen Hausfeld Lawyers Named to Lawdragon Plaintiff Financial Lawyer Guide 2019

September 16, 2019

Hausfeld Firm Leadership Transition Plan Announced

March 27, 2019

Hausfeld Wins "Lawyer of the Year" and "Litigation of the Year - Cartel Prosecution" at 9th Annual GCR Awards

February 28, 2019

Five Hausfeld Lawyers Named to Lawdragon 500 List of Leading Lawyers in America

January 28, 2019

Five Hausfeld Lawyers Recognised as Thought Leaders for Competition by Who's Who Legal

October 9, 2018

American Antitrust Institute Recognizes Hausfeld Attorneys Sarah LaFreniere, Brian Ratner, Brent Landau, Melinda Coolidge and Michael Hausfeld for Outstanding Antitrust Achievements

## ARTICLES

June 20, 2014

The International Comparative Legal Guide to Cartels & Leniency 2014 Edition

June 20, 2014

World Class Actions Chapter 26: Prosecuting Class Actions and Group Litigation

March 14, 2013

Hausfeld Partner Brent Landau Named Rising Star under 40 in Competition

March 13, 2013

Jury Finds Chinese Vitamin C Makers Fixed Prices; \$153.3M Judgment Entered

February 19, 2013

Hausfeld Defeats Defendants' Motion to Dismiss in HearUSA, Inc.

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