



## Bonny E. Sweeney

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Bonny E. Sweeney, a leading antitrust litigator, is a Partner in the San Francisco office of Hausfeld.

Bonny has represented clients in some of the most significant antitrust cases in the United States in the last 20 years. She previously served as co-lead counsel on behalf of a class of merchants in *In re Payment Card Interchange Fee and Merchant Discount Antitrust Litig.* (E.D.N.Y.), a sprawling litigation against the world's largest credit card companies. Bonny, together with Hausfeld, also served as co-lead counsel in *In re Aftermarket Auto Lights Antitrust Litig.* (C.D. Cal.), which settled for more than \$50 million, and in which counsel obtained a landmark decision denying a leniency applicant's bid for reduced civil damages under the Antitrust Criminal Penalty Enhancement and Reform Act (ACPERA), because the defendant had not provided satisfactory or timely cooperation under the statute. Bonny is one of the attorneys representing clients in high stakes litigation against some of the largest banks in the world in the *In re Foreign Exchange Benchmark Rates Antitrust Litigation*, 13-cv-07789 (S.D.N.Y.) which has secured over \$2.3 billion in settlements.

*The Daily Journal* recognized these legal achievements in May 2014, naming Bonny as one of the Top Women Lawyers in its Annual List of 100 Leading Women Lawyers in California. Bonny was also named as a Local Litigation Star in Antitrust in 2016 by *Benchmark Litigation Rankings*, and as Litigator of the Week by *Global Competition Review* in 2014. Bonny served as lead trial counsel for the plaintiff class in *In re iPod iTunes Antitrust Litig.*, which was tried to a jury in 2014, and was also one of the trial lawyers in *Law v. NCAA/Hall v. NCAA/Schreiber v. NCAA* (D. Kan.), in which the jury awarded \$67 million to three classes of college coaches. She has participated in the successful prosecution and settlement of numerous other antitrust and unfair competition cases, including *In re Currency Conversion Fee Antitrust Litig.* (S.D.N.Y.), which settled for \$336 million.

Bonny currently serves as lead or co-lead counsel in several pending antitrust class actions, including *In re Contact Lens Antitrust Litig.* (M.D. Fla.), *In re Packaged Seafood Products Antitrust Litig.* (S.D. Cal.), and *In re Parking Heaters Antitrust Litig.* (E.D.N.Y.).

**Practice Areas**

Antitrust / Competition

Financial Services and Securities

**Education**

Case Western Reserve University School of Law, J.D., *summa cum laude*, 1988, Editor, *Law Review*, Member, Order of the Coif

Cornell University, M.A., 1985

Beijing Language Institute, Chinese Language Certificate, 1982

Whittier College, B.A., 1981

**Bar Admissions**

California

Massachusetts

Tenth Circuit Court of Appeals

United States Supreme Court

Ninth Circuit Court of Appeals

**Affiliations & Honors**

Leading Lawyer, *Lawdragon 500*, 2018 - 2019

Adjunct Professor, University of San Diego School of Law (*Sports and the Law*), 2018

Advisory Board member, MLex, 2018

Vice-Chair, Trial Practice Committee, ABA Section of Antitrust Law, 2015-16, 2016 -17

Local Litigation Star in Antitrust, *Benchmark Litigation Rankings*, 2016

Top Women Lawyers in California, *Daily Journal*, May 7, 2014

Advisory Board Member of the Institute for Consumer Antitrust Studies, Loyola University, since 2009

Former Chair of the Antitrust and Unfair Competition Law Section of the State Bar of California

Litigator of the Week, *Global Competition Review*, October 1, 2014

Super Lawyer, since 2007

Outstanding Women in Antitrust, *Competition Law* 360, 2007

Advisory Board Member of the American Antitrust Institute, since 2004

Wiley M. Manuel Pro Bono Services Award, 2003

San Diego Volunteer Lawyer Program Distinguished Service Award, 2003

### **News & Press**

Sweeney Named to the *Daily Journal's* Annual List of 100 Leading Women Lawyers in California (May 7, 2014)

Sweeney Named as Litigator of the Week by *Global Competition Review*, October 1, 2014

### **Publications**

*The Next Antitrust Agenda: The American Antitrust Institute's Transition Report on Competition Policy to the 45th President of the United States* (forthcoming 2017) (contributing author)

*Antitrust Law Developments* (Eighth), ABA Section of Antitrust Law (forthcoming 2017) (contributing author)

*Earning ACPERA's Civil Benefits*, 29 *Antitrust Magazine* 37 (Summer 2015)

*Defining Antitrust Violations in the United States*, Private Enforcement of Antitrust Law in the United States: A Handbook (Albert A. Foer and Randy M. Stutz, eds.) (Elgar, 2012)

*Defining Antitrust Violations in the US*, The International Handbook on Private Enforcement of Competition Law (Albert A. Foer and Jonathan W. Cuneo, eds.) (Elgar, 2010)

*State Common Law Torts*, Business Torts and Unfair Competition Law, Antitrust and Unfair Competition Law Treatise (4th ed., 2010) (co-author)

*The Next Antitrust Agenda: The American Antitrust Institute's Transition Report on Competition Policy to the 44th President of the United States* (Albert A. Foer, ed. 2008) (co-author)

*The 'Federalization' of the Cartwright Act*, 17 *COMPETITION* 139 (Fall 2008)

*An Overview of Section 2 Enforcement and Developments*, 2008 *Wis. L. Rev.* 231 (2008)

*Market Competitiveness: Does State Antitrust Law Need to be Updated? Statement Before California Senate Judiciary Committee*, 14 *COMPETITION* (Spring/Summer 2005)

### **Presentations & Speeches**

Panelist, "Antitrust and Silicon Valley: New Themes and Direction in Competition Law and Policy," Santa Clara University School of Law Review, Santa Clara, CA (March 2019)

Panelist, *ACPERA in Civil Cases* panel, ABA Section of Antitrust Law's 66th Spring Meeting (April 2018)

Panelist, "A Fresh Look at the Role of Economics in Antitrust Analysis," The American Antitrust Institute 17th Annual Conference, Washington, D.C. (June 2016)

Faculty Member, ABA Antitrust Masters Course, Williamsburg, VA (Sept. 2016)

Participant, Mock Trial, ABA Section of Antitrust Law, Spring Meeting, Washington, D.C. (April 2015)

Participant, Mock Trial, George Washington University, Washington, D.C. (Sept. 2015)

Litigation in the Aftermath of Criminal Prosecution," ABA Antitrust Section, 2014 Spring Meeting, Washington, D.C. (March 2014)

Faculty Member, ABA Antitrust Masters Course, Williamsburg, VA (Sept. 2014)

Faculty Member, ABA/IBA International Cartel Workshop, Rome, Italy (Feb. 2014)

"Comcasting a Wider Net? A Real-Life Study of *Comcast Corp. v. Behrend's* Application and Effect at Class Certification," ABA 2013 Class Action National Institute, Boston, MA (Oct. 2013)

"Recent Developments in California Antitrust and Unfair Competition Law," Antitrust and Unfair Competition Law Section, San Francisco, CA (June 2013)

"Judgment Sharing Agreements: The Plaintiff's Perspective," ABA Antitrust Section, 2013 Spring Meeting, Washington, D.C. (Apr. 2013)

Panelist, "Antitrust and Sports Law," Ninth Circuit Judicial Conference, Lahaina, HI (Aug. 2012)

Contributor, "Joint Comments of the American Bar Association Section of Antitrust Law and Section of International Law to the Department for Business Innovation & Skills' Consultation on Options for Reform of Private Actions in Competition Law" (July 2012)

Faculty Member, ABA/IBA International Cartel Workshop, Vancouver, Canada (Feb. 2012)

Panelist, "*Clayworth v. Pfizer*," Los Angeles County Bar Association, Antitrust Section (Mar. 2011)

Faculty Member, ABA/IBA International Cartel Workshop, Paris, France (Feb. 2010)

"Hydrogen Peroxide Will Clear It up Right Away: Developments in the Law of Class Certification," ABA Section of Litigation, 13th Annual National Institute on Class Actions, San Francisco, CA (Oct. 2009); Washington, D.C. (Nov. 2009)

Panelist, "The Future of Privacy Advocacy Conference," San Diego, CA (May 2009)

"Re-Energizing Section 2 of the Sherman Act," American Antitrust Institute's 10th Annual Conference, Washington, D.C. (June 2008)

"Plaintiffs' Strategies for Pursuing Private Damage Claims," ABA Antitrust Section, 2008 International Cartel Workshop, San Francisco, CA (Jan. 2008)

"Recent Developments in Class Action Litigation," PLI program, New York, NY (Mar. 2007)

“An Overview of Section 2 Enforcement and Developments,” University of Wisconsin Law School Colloquium, Madison, WI (Nov. 2007)

Plaintiffs’ Trial Team, ABA Antitrust Section, The Antitrust Litigation Course, Philadelphia, PA (Oct. 2007)

“An Overview of Section 2 Enforcement and Developments,” American Antitrust Institute, Washington D.C. (June 2007)

“Consumer Litigation (Bus. & Prof. C. §17200, Class Actions, CLRA),” Rutter Group program, San Francisco and Los Angeles, CA (Mar. 2006)

“Recent Developments in 17200 Litigation,” Antitrust and Unfair Competition Law Section, San Francisco, CA (Dec. 2006)

“Arbitration in the Class Action Context,” CLE International program, San Francisco, CA (Feb. 2006)

“Financial Services and Insurance Industry Litigation,” ALI-ABA program, New York, NY (Mar. 2005)

“Recent Developments in Antitrust Law,” Antitrust and Unfair Competition Law Section, San Francisco, CA (Jan. 2005)

“Market Competitiveness: Does State Antitrust Law Need to be Updated?” Testimony, California Senate Judiciary Subcommittee on Anti-Competitive Conduct and Market Competitiveness, Sacramento, CA (Aug. 2005)

“Introduction to California Antitrust Law,” Antitrust and Unfair Competition Law Section, Monterey, CA (Oct. 2004)

“Trying the Antitrust Case,” Antitrust and Unfair Competition Law Section, Los Angeles, CA (Apr. 2004)

“Implications of Proposition 64: Changes to the UCL, Bus. & Prof. Code §§17200 *et seq.* Imposed by Prop. 64,” Antitrust and Unfair Competition Law Section, Los Angeles and San Francisco, CA (Nov. 2004)

“The Nuts and Bolts of 17200,” Antitrust and Unfair Competition Law Section, Los Angeles, CA (Mar. 2003)

“Nuts and Bolts of a 17200 Action,” Section Educational Institute, Berkeley, CA (Jan. 2003)

“The Unfair Competition Law,” San Diego County Bar Association program, San Diego, CA (July 2003)

“Financial Privacy Law,” National Council of Higher Education program, Carlsbad, CA (Mar. 2000)

Guest speaker on KSDO radio Legal Affairs program devoted to financial privacy issues, San Diego, CA (Feb. 2000)