

Grant A. Bermann

Partner

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Grant A. Bermann is a partner in the Washington, DC office of Milbank and a member of the firm's Litigation & Arbitration Group.

Primary Focus & Experience

Mr. Bermann's practice focuses on all aspects of antitrust law, including merger review, litigation, government investigations and counseling. He has handled cases in a wide range of industries, including energy, transportation, technology, financial services, life sciences, pharmaceuticals, industrials, chemicals, retail and consumer products.

From 2020 to 2023, Mr. Bermann served as a Trial Attorney in the Antitrust Division of the US Department of Justice. In that role, he led merger and conduct investigations in the transportation and energy industries. He also litigated some of the most high-profile antitrust disputes in recent years on behalf of the United States, including the government's successful challenges to *Visa/Plaid*, *American Airlines/JetBlue* and *JetBlue/Spirit Airlines*. For his litigation contributions, he was awarded the Assistant Attorney General's Award of Distinction.

His representations have included, among others:

Merger Review

- Family Dollar in its \$9.3 billion acquisition by Dollar Tree, a transaction that created the nation's largest dollar store chain*
- Alimentation Couche-Tard, parent company of Circle K, in several transactions, including its \$4.4 billion acquisition of CST Brands and its \$1.4 billion acquisition of Holiday Stationstores*
- OpenText in several transactions, including its \$1.6 billion acquisition of Dell EMC's enterprise content division, its \$1.4 billion acquisition of Carbonite, and its \$270 million acquisition of Guidance Software*
- Agilent Technologies in several transactions, including its \$1.2 billion acquisition of BioTek, its \$250 million acquisition of Advanced Analytical Technologies, and its \$250

million acquisition of ACEA Biosciences*

- Commercial Metals Company in its \$600 million asset acquisition from Gerdau*

Litigation & Investigations

- Genting New York and Kien Huat Realty in winning complete dismissal of a complaint alleging conspiracy and monopolization claims, and successfully defending this decision in the Second Circuit, which affirmed on all counts*
- Equilend in litigations in the Southern District of New York alleging conspiracies in violation of Section 1 of the Sherman Act*
- Mallinckrodt in the settlement of an FTC investigation alleging monopolization in violation of Section 2 of the Sherman Act*
- A wide variety of clients in internal investigations, non-public government investigations and advisory matters*

*Representation occurred prior to Mr. Bermann's association with Milbank.

Recognitions & Accomplishments

Mr. Bermann is a leader in the ABA Antitrust Law Section, where he serves as Co-Chair of the Transportation and Energy Industries Committee. He previously served as Vice-Chair of the Global Private Litigation Committee.

Mr. Bermann maintains an active pro bono practice. He represented the American Sociological Association as amicus curiae in support of same-sex marriage in *United States v. Windsor* (2013) and *Obergefell v. Hodges* (2015), the Supreme Court cases that invalidated bans on same-sex marriage in the United States.

Mr. Bermann received his J.D. from Yale Law School and his A.B., *magna cum laude*, from Princeton University. He speaks French.

ADDITIONAL DETAILS

EDUCATION

Yale Law School, J.D.
Princeton University, A.B.

ADMISSIONS

New York
District of Columbia

EXPERIENCE

Antitrust	Litigation & Arbitration	Litigation Antitrust & Competition Law
Aviation	United States	

FEATURED NEWS

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Milbank Antitrust Partners to Speak at the 2024 Antitrust Spring Meeting

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The Final Word or Just the Beginning? FTC and DOJ Finalize New Antitrust Merger Guidelines

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