

PARTNER

# James Keyte

## New York

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## PROFILE

**James is a trial lawyer with extensive experience in sports, Big Tech, mergers, and antitrust. He has handled many high-profile cases, including class actions, alleged price-fixing, monopolization, intellectual property licensing, distribution rights, and more. James has also helped lead litigation challenges to mergers brought by the DOJ and FTC.**

His sports clients have included the NHL, NFL, NBA, and the Professional Rodeo Cowboys Association, and he has litigated cases for or provided antitrust-related advice to companies such as Anheuser-Busch InBev, Express Scripts, The Coca-Cola Company, and SanDisk.

Most recently, he served as the Director of Global Development at the Brattle Group, where he was involved in several tech platform related litigations, on behalf of both plaintiffs and defendants, as well as matters addressing algorithmic pricing and generative AI.

James has repeatedly been selected for inclusion in *Chambers USA*, which has described him as a “brilliant” antitrust lawyer and a “bulldog in the courtroom.”

James is the Director of the Fordham Competition Law Institute, and, as an adjunct professor, has taught Comparative Antitrust Law, including on Big Tech, for several years. He has published more than 50 articles related to antitrust across a wide range of topics, is a former editor of the *Antitrust Law Journal*, and currently serves as editor of *Antitrust Magazine*.

James spent two decades as a partner at an international law firm, leading complex antitrust and sports litigation, transactions, and advisory matters across diverse sectors.



## PRACTICES

Antitrust and Competition

Sports and Gaming

Technology

Class Actions

## EDUCATION

**Loyola Law School**, J.D.; *Law Review*

**Harvard University**, B.A., *cum laude*, Russian History

## ADMISSIONS

### Bars

New York

## AWARDS AND ASSOCIATIONS

Nominee, Antitrust Writing Awards (2013-2016, 2019, 2021-2024)

Winner, Antitrust Writing Awards (2012, 2018, 2022)

Institute of Competition Law Antitrust Academic Article Readers Award (2012)

## EXPERIENCE

James' experience includes:

### Litigation

- Obtained a dismissal with prejudice of claims brought by a competitor of five New York law schools alleging a concerted refusal to deal
- Played a key role in the NHL's successful litigation against MSG as well as an attempt, through bankruptcy, to relocate the Phoenix Coyotes over the NHL's objection
- Represented the NHL in a class action litigation involving the distribution of live broadcast of NHL games, leading a team that defeated a damages class by excluding the plaintiffs' economic model after a three-day hearing
- Co-led a team that secured a successful jury verdict for the NFL in a billion-dollar case brought by the Oakland Raiders
- Led a team representing the Professional Rodeo Cowboys Association in a monopolization case brought by the Elite Rodeo Association, defeating a request for a preliminary injunction that limited membership in the association
- Co-led a team that won a trial verdict for SanDisk in an alleged monopolization intellectual property licensing matter

### Mergers

Advised the following companies:

- Unsecured Creditors Committee of American Airlines (in bankruptcy) in its merger with US Airways
- Anheuser-Busch InBev in government and private challenges to its merger with Modelo
- Coca-Cola Company in its acquisition of Glaceau and its partial acquisition of Honest Tea
- Toshiba in its acquisition of Westinghouse's nuclear division
- Alcatel in its acquisition of Lucent Technologies
- Ceasars Entertainment in its acquisition by Harrah's
- Several private equity firms, including Brookfield Asset Management, in the merger of Ainsworth and Brookfield
- MGM in its acquisition by Sony Corp. and the sale of Westwood One to Dial Global

## PUBLICATIONS & PRESENTATIONS

Co-author, Generative AI: Drawing the U.S. Battle Lines, *Antitrust* (2024)

The Final Merger Guidelines: Will the Agencies Have the Courage of Their Convictions?, *Antitrust* (2024)

Co-author, **Thou Art Weighed in the Balance – and Found Wanting? Evidence in Government Merger and Monopolization Litigation**, *Antitrust* (2022)

Co-author, **Buckle Up: The Global Future of Antitrust Enforcement and Regulation**, *Antitrust* (2021)

Co-author, The Economics of Foreclosure: A Lawyer's Guide, *Antitrust* (2018)

**Why the Atlantic Divide on Monopoly/Dominance Law and Enforcement Is So Difficult to Bridge**, *Antitrust* (2018)

The AT&T/Time Warner Decision: More Than Meets the Eye, *Antitrust* (2018)

Co-author, Private Equity and Antitrust: A New Landscape, *Antitrust* (2016)

Co-author, From Hydrogen Peroxide to Comcast: The New Rigor in Antitrust Class Actions, *Research in Law and Economics* (2014)

Co-author, 'Tally-Ho!': UPP and the 2010 Horizontal Merger Guidelines, *Antitrust Law Journal* (2011)

American Needle: A New Quick Look for Joint Ventures, *Antitrust* (2010)

Market Definition and Differentiated Products: The Need for a Workable Standard, *Antitrust Law Journal* (1995)

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