



Lesli C. Esposito

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Recognized as a leading business lawyer, Lesli Esposito has over 20 years of experience advising and representing clients on complex issues in the fields of antitrust and consumer protection. She represents clients in a variety of industries, among them consumer products, retail, financial services, pharmaceuticals, healthcare, telemarketing, oil and gas, mortgage lending and professional services. Lesli has a full-service practice with extensive experience in government investigations, litigation, compliance, and global merger control, focusing on competition and consumer protection issues.

Lesli regularly counsels clients on antitrust implications and issues related to business practices such as competitor collaborations, exclusive agreements, pricing practices, potential tying issues, resale price maintenance, use of competitive information, issues specific to entities with monopoly power and many other issues. Lesli also has extensive experience in consumer protection issues such as false and deceptive advertising claims, social media compliance, endorsements, disclosures, claim substantiation, tortious interference and various related state law issues, as well as alleged violations of various FTC, FCC and FDA regulations.

Lesli has extensive experience representing clients in antitrust and consumer protection government investigations, including investigations conducted by the Department of Justice, Federal Trade Commission, Consumer Financial Protection Bureau, and state Attorneys General. In addition, she has extensive experience litigating antitrust and consumer protection matters in both federal and state courts, as well as representing parties in class actions.

Lesli also has represented Fortune 500 companies in merger control matters before the Federal Trade Commission and Department of Justice. She has extensive experience with second requests, merger-related litigation and early termination. She has coordinated merger control filings and approvals in jurisdictions around the globe.

RELATED SERVICES

- Litigation, Arbitration and Investigations
- Antitrust and Competition
- Corporate
- Finance
- Intellectual Property and Technology
- Projects, Energy and Infrastructure
- Banking and Finance Litigation
- Data Protection, Privacy and Security
- Financial Services Regulatory
- Global Governance and Compliance
- Investigations
- IT and Telecoms Disputes
- Mergers and Acquisitions
- Oil and Gas
- Patent Litigation
- Private Equity
- Product Liability, Mass Torts and Product Stewardship

Following a federal clerkship, Lesli began her private practice in Washington, DC, at a law firm that concentrates on plaintiffs' class actions. There, she was a member of the complex litigation practice group, focusing on antitrust and consumer protection cases. She litigated a variety of cases involving price fixing, monopolization and conspiracy allegations in both federal and state courts, as well as before the European Commission.

Lesli then joined the Federal Trade Commission. As a Lead Attorney at the FTC, she conducted investigations into alleged violations of Section 5 of the FTC, including false and deceptive acts or practices and proposed mergers and acquisitions. Lesli has extensive experience with FTC antitrust and consumer protection investigations, as well as Part III litigation before FTC Administrative Law Judges.

RELATED SECTORS

- Financial Services
- Energy and Natural Resources
- Insurance
- Life Sciences
- Industrials
- Consumer Goods, Food and Retail
- Technology

CREDENTIALS

Admissions

- District of Columbia
- Maryland
- Pennsylvania

Recognitions

Lesli was named, Best Attorneys in Business 2016, by *Philly Biz*. She was named in the Antitrust and Trade Regulation category, in addition to being profiled.

Lesli has repeatedly been recognized in *The Legal 500 United States* for her practice and has been named a Pennsylvania Rising Star.

Clerk Experience

- Clerked for The Honorable Robert H. Hodges, Jr. on the US Court of Federal Claims

Education

- J.D., Case Western Reserve University School of Law
- B.A., Boston College

Courts

- United States Court of Federal Claims

Memberships

- American Bar Association, Antitrust Section
- District of Columbia Bar Association
- Defense Research Institute, Government Enforcement and Corporate Compliance Steering Committee and Publications Chair

INSIGHTS

Lesli regularly authors articles and conducts CLEs on cutting-edge antitrust and consumer protection issues. She is often interviewed by the media for her thoughts on landmark legal decisions by such media outlets as *USA Today*, *Time* magazine, CNBC and *Law360*.

Publications

What COVID-19 could mean for the future of the Big Tech investigations

24 April 2020

Antitrust and Competition: Novel Issues in a Post-Coronavirus World

Rather than hampering the investigations over the long term, the pandemic may open new lines of inquiry for antitrust investigators.

DOJ increases scrutiny of nursing home industry

1 April 2020

DOJ is doubling down on its commitment to investigate and prosecute allegations of elder abuse and of substandard quality of care.

US Antitrust enforcers issue joint statement on competitor collaboration amid COVID-19 pandemic

27 March 2020

Antitrust and Competition: Novel Issues in a Post-Coronavirus World

The US Department of Justice and Federal Trade Commission issued a Joint Antitrust Statement Regarding COVID-19, in which they announced an expedited procedure for evaluating proposed collaborations among competitors and other businesses working to address the pandemic.

FTC comments and workshop reinforce increased focus on vertical mergers

13 March 2020

Vertical mergers are in the crosshairs.

FTC issues 6(b) orders to tech companies – healthcare companies could be next

14 February 2020

The agency seeks information on unreported acquisitions with the goal of deepening its understanding of the competitive tech sector landscape.

5 antitrust trends to watch in 2019

14 JAN 2019

2018 was a memorable year for antitrust law and all signs point to 2019 being equally memorable.

FTC finds keyword search advertising agreements anticompetitive

19 NOV 2018

A decision that could have far-reaching implications for retailers and manufacturers engaged in direct online sales.

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- "What COVID-19 could mean for the future of the Big Tech investigations," 24 April 2020
 - "DOJ increases scrutiny of nursing home industry," 1 April 2020
 - "US Antitrust enforcers issue joint statement on competitor collaboration amid COVID-19 pandemic," 27 March 2020
 - "FTC comments and workshop reinforce increased focus on vertical mergers," 13 March 2020
 - "FTC issues 6(b) orders to tech companies – healthcare companies could be next," 14 February 2020
 - "5 antitrust trends to watch in 2019," 14 Jan 2019
 - "FTC finds keyword search advertising agreements anticompetitive," November 19, 2018
 - Co-author, "Maximizing The Success Of 'Minimum Advertised Price' Policy," *Law360*, April 11, 2018
 - Co-author, "Big data may become big antitrust concern," September 19, 2017
 - Co-author, "Risky IT Programs - The Use of Algorithms and Risk of Collusion under Antitrust Laws," June 20, 2017
 - "Cartel Enforcement Global Review," June 13, 2017
 - Co-author, "'Frontier' Issues: Pay-For-Delay And Patent Holdup" *Law360*, March 29, 2017
 - Co-author, "House votes to eliminate antitrust exemption for health insurers," March 27, 2017
 - "Antitrust Matters," July 18, 2016
 - Co-author, "FTC updates Q&A on Endorsement Guides – changes affect all types of media and endorsement: 5 takeaways," June 3, 2015
 - Co-author, "Confidentiality Designations in a Government Investigation: The FCC Confronts Sensitive Competitive Information," *DRI - The Voice of the Defense Bar*, June 2015
 - Co-author, "TCPA Enforcement and Compliance," *For the Defense*, June 2015
 - Co-author, "Antitrust Health Care Trends to Watch in 2015," *The Legal Intelligencer*, February 17, 2015
 - Co-author, "A Minor Healthcare Acquisition With Major Implications," *The Legal Intelligencer*, March 3, 2014
 - Co-author, "FCC's New Rules Change the Telemarketing Landscape," *The Legal Intelligencer*, October 29, 2013
 - Co-author, "Application of Antitrust Laws to Patent Cases Materially Altered," *The Legal Intelligencer*, July 30, 2013
 - Co-author, "Actavis Court Requires Case-by-Case Analysis of Anticompetitive Effects Of Reverse-Payment Settlements," *Bloomberg BNA Antitrust & Trade Regulation Report*, July 12, 2013
 - Co-author, "The Work and Impact of the CFPB: Part II," *The Legal Intelligencer*, July 7, 2013
 - Co-author, "The Work and Impact of the CFPB: Part I," *The Legal Intelligencer*, June 3, 2013
 - "Antitrust Issues For Private Equity Firms," *The Legal Intelligencer*, May 6, 2013
 - Co-author, "US Supreme Court Further Limits State Protection From Antitrust Laws," *The Legal Intelligencer*, March 4, 2013
 - Co-author, "*FTC v. Phoebe Putney Health System, Inc.*: Supreme Court rules state law does not offer blanket protection from antitrust laws," *DLA Piper Antitrust Alert*, February 21, 2013
 - Co-author, "Supreme Court Antitrust Cases to Watch in 2013," *The Legal Intelligencer*, February 4, 2013
 - Co-author, "In re: K-Dur Antitrust Litigation: The Third Circuit's Controversial Pay-for-Delay Antitrust Decision Splits with Other Circuit Courts," 58 *Villanova Law Review* 103, 2013

Events

Previous

Antitrust trends 2019

4 FEB 2019
Webinar

12th Annual Women in IP Law CLE Program

8 NOV 2018
East Palo Alto

- Speaker, "Corporate Transactions: Leading The Strategy," *Bloomberg Law*, New York (May 30, 2019)
- Presenter, "Price-Bots: Are R2D2 and C3PO Tacitly Colluding?" ABA Antitrust Conference, Washington, DC (April 11, 2018)
- Presenter, "Antitrust Aspects of Big Data and Algorithms for the Life Sciences Sector" (February 22-23, 2018)
- Presenter, "Antitrust Aspects of Big Data and Algorithms for the Technology Sector" (January 22-23, 2018)
- Presenter, "A Legal Perspective: How the Administration Sees Reviews and Consumer Protection," PowerReviews Digital Commerce Summit, Chicago (May 4, 2017)
- Presenter, "New Red Flags: Emerging Issues With Government Agencies That Need to be Brought to the C Suite," NAWL Conference, New York (November 3, 2016)
- Presenter, "What to Do When the Federal Trade Commission Comes Knocking," DRI's Government Enforcement and Corporate Compliance Seminar, Washington, DC (July 24, 2014)
- Co-Presenter, "Antitrust Developments Involving the Supreme Court, Federal Trade Commission and Department of Justice", *The Legal Intelligencer* In-House Counsel CLE Seminar, Philadelphia (October 17, 2013)
- Co-Presenter, "Antitrust Trends," *The Legal Intelligencer* In-House Counsel CLE Seminar, Philadelphia (October 17, 2012)

NEWS

DLA Piper advises CIRCOR in US\$85 million sale of Reliability Services business to RelaDyne

28 JAN 2019

DLA Piper represented CIRCOR International, Inc., a provider of flow control solutions and other highly engineered products for the industrial, energy, aerospace and defense markets, in the sale of its Reliability Services business to an affiliate of RelaDyne LLC for approximately US\$85 million.

MEDIA MENTIONS

- "Corporate Transactions are a Matter of National Security," *Big Law Business*, May 30, 2019
- "Maximizing The Success Of 'Minimum Advertised Price' Policy," *Law360*, April 11, 2018
- Commented on the Supreme Court's *FTC v. Actavis* decision in *MarketWatch*, *USA Today*, *The National Law Journal*, *CNBC.com* and *Law360*
- "Viewpoint: Supreme Court Decision May Cost Patients at the Pharmacy," *Time Magazine*, June 22, 2013