

Steve Vieux, CIPP/US



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Education

University of Pennsylvania Law School, J.D., 1999
University of Pennsylvania Journal of Constitutional Law, Senior Editor; National Black Law Students Association, Philadelphia Sub-Regional Director

Cornell University, B.S. (Industrial and Labor Relations), 1996

Professional Affiliations

International Association of Privacy Professionals

American Health Law Association, Member of Antitrust Practice Group and Vice Chair of Educational Programming

California Lawyers Association, Antitrust and Unfair Competition Law Section, Member of Executive Committee and Chair of Education Subcommittee

American Bar Association, Antitrust Section, Member of African American/Black Affinity Squad

National Bar Association, Commercial Law Section

American Bar Association, Government and Public Sector Lawyers Division, Former Chair

Uniform Law Commission Committee on Social Media Privacy, Former ABA Advisor

District of Columbia Bar Association, Antitrust & Consumer Law Section, Former Steering Committee Member

Practice Areas

Antitrust Litigation
Business Litigation
Class Action and Complex Litigation
Enforcement and Data Privacy
White Collar Defense and Government Investigations

Experience

Steve Vieux brings extensive experience handling complex litigation and government investigations, with a focus on antitrust and consumer protection. He has represented and advised clients in diverse industries, ranging from health care to automobiles to technology. He offers clients specialized counseling on antitrust, privacy and advertising compliance. Steve has assisted clients in responding to data breaches. He has also assisted clients in complying with relevant privacy and data security laws, including the development of privacy policies and drafting of related disclosures. Further, Steve has guided clients in responding to complex and sensitive discovery requests in private and government antitrust litigation. From his extensive record in government service, he has developed a keen insight that can be invaluable to representing clients before agencies and managing internal investigations.

Just prior to joining the firm, Steve was a senior attorney at a national law firm representing corporate clients in a variety of business and consumer litigation matters, including coordinated litigation proceedings in federal and state courts. He also counseled clients on antitrust, consumer protection and privacy issues, including the development of procedures and protocols for compliance. In addition, he represented automobile and medical device manufacturers in product liability actions dealing with catastrophic injuries.

Steve started his legal career in government service with the Federal Trade Commission (FTC). At the FTC, Steve led antitrust investigations in the health care and pharmaceutical industries, as well as represented the agency in antitrust litigation. As a result of his work at FTC, Steve received the prestigious Janet D. Steiger award on two occasions for his contributions to government enforcement actions and litigation. Steve's record of public service also includes serving as a Special Assistant U.S. Attorney for the District of Columbia, managing a case-load of more than 100 criminal cases.

Representative Cases

ANTITRUST

Developing and implementing antitrust compliance program for manufacturer, including providing training for relevant sales and distribution executives.

Bar Admissions

State Bar of California

District of Columbia Bar

State Bar of New Jersey

Honors

Lawyers of Color Hot List, Mid-Atlantic Region (2014)

Janet D. Steiger Award, FTC (2006, 2009)

Publications

California Antitrust and Unfair Competition Law, Editor (2020-2022), California Lawyers Association

"FTC Challenges Methodist-St. Francis and Hackensack Meridian Health-Englewood Mergers", *American Health Law Association*, December 21, 2020

"Best Practices for Health Care Mergers in the COVID-19 Era", *Law360* (with Peter O'Neill and Bria Davis), September 16, 2020

"New Guidance on HSR Reporting Requirements for Not-for-Profit Affiliations", *American Health Lawyers Association*, November 2018

"California Consumer Privacy Act: A Comprehensive Review", *Information Law Journal* (with Al Saikali and Camila Tobón), Winter 2019

"Tenth Circuit Affirms Dismissal of Health System's Antitrust Suit Against a Health Plan", *Antitrust Practice Group Alert*, *American Health Lawyers Association*, July 19, 2017

"Antitrust & Consumer Protection", *District of Columbia Practice Manual 2012 Edition*, *District of Columbia Bar Association*, 2012

"Pharmaceutical Industry Antitrust Handbook", Editor, *American Bar Association*, 2009

Representative Cases [Continued]

FTC v. Actavis: Core member of the FTC team that undertook the underlying investigation and initial challenge of an alleged reverse payment patent litigation settlement agreement between the manufacturer of a testosterone replacement drug and two manufacturers of competing generic versions of the drug. On certiorari, the U.S. Supreme Court reversed the federal circuit court's dismissal, allowing so-called reverse payment patent litigation settlement agreements to come under antitrust scrutiny.

In the Matter of Evanston Northwestern Healthcare Corp.: Member of the FTC trial team that successfully challenged the consummated merger of two health systems in the Chicago area suburbs.

FTC v. CSL Limited: A leading member of the FTC team challenging the proposed merger of two of the three largest producers, at the time, of plasma-derived protein therapies in the U.S. Led the team's effort in proving the difficulty of competitive entry and expansion in that market. The parties abandoned the proposed merger before trial following the FTC's lawsuit.

In the Matter of CentraCare Health System: Represented the FTC in its investigation of a large health system's acquisition of a multispecialty medical practice group in central Minnesota. In a consent order, CentraCare agreed to release some physicians from "non-compete" contract clauses so they could join local competing practices or establish their own practice in the area.

In the Matter of Keystone Orthopaedic Specialists, LLC: Played a leading role in the investigation of a consummated merger of six orthopedic practices in Berks County, Pennsylvania. The parties agreed to a consent order that preserved the separation of one of the six practices and required prior approval before acquiring another orthopedic practice in the area.

Analyzed settlement agreements of Hatch-Waxman litigation between pharmaceutical companies for antitrust compliance.

Led antitrust review of health care joint venture participating in the U.S. Department of Health and Human Services' Accountable Care Organization program.

Member of government team that provided technical assistance to Competition Commission of India.

PRIVACY & CONSUMER PROTECTION

Guided client in response to unintentional disclosure of employee information.

Advised clients on updating privacy and data security policies to comply with California Privacy Rights Act.

Represented automobile manufacturers in individual and mass consumer warranty actions concerning alleged defects. Successfully argued for the dismissal of fraud and punitive claims on one such action.

Represented target of FTC investigation concerning substantiation of advertising claims.

Part of team that secured dismissal of alleged "greenwashing" claims on behalf of major national retailer.

Presentations

Moderator, "Diversity in the Antitrust Bar: Is It Truly a Pipeline Problem?", *Golden State Antitrust and UCL Institute*, May 5, 2022

Moderator, "A Look at the Sixth Circuit's Recent Decision in *St. Luke's v. ProMedica*", *Antitrust Practice Group*, *American Health Law Association*, September 3, 2021

Presentations [Continued]

Moderator, "Big Tech and Antitrust: Understanding Coordinated Enforcement in Tech", California Lawyers Association-Antitrust and Unfair Competition Law Section, June 23, 2021

Panelist, "Moving to a Career in the Private Sector After Government Service", University of North Texas at Dallas College of Law, April 19, 2021

Moderator, "Antitrust Implications of Healthcare Provider Consolidation", CLE Webinar, Antitrust, UCL and Privacy Section, California Lawyers Association, September 10, 2020

Moderator, "BIPA, GDPR and Now the California CCPA - 2020 Deadline? What's Next?" 5th Annual Meeting of The Government Investigations & Civil Litigation Institute, Lake Tahoe, Nevada, October 14, 2019

Panelist, "New Frontiers in Antitrust", ABA Section of Litigation & Solo, Small Firm and General Practice Division CLE Conference, New York City, May 3, 2019

Panelist, "The Impact of Emerging Technologies to Legal and Risk Management Professionals", 2019 National Bar Association-Commercial Law Section Corporate Counsel Conference, Orlando, Florida, January 31, 2019

Co-Presenter, "Recent Enforcement Trends in Life Sciences - Understanding Areas of Concern from Advertising/Promotion to Competition and GMP Enforcement", ABA Life Sciences Summit, San Francisco (with Sonali Gunawardhana), September 26, 2018

Panelist, "Bid-Rigging Detection", Webinar, ABA, June 21, 2018

Instructor, "The Role of the Agencies: FTC, Antitrust and Health Care Policy", The Washington Campus, Washington, D.C., April 7, 2017

Faculty, "What to do When the Enforcers Call", ABA-AHLA 2016 Antitrust in Health Care Conference, Arlington, VA, May 13, 2016

Faculty Expert, "Health Care Antitrust Fundamentals", ABA Health Law Section, Washington, D.C., March 10, 2016

Instructor, "Training Seminar: Competition Investigations & Merger Review in the Health Care Industry", Competition Commission of India, New Delhi, India, September 22-24, 2014