



Matthew Perez

Partner

New York

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Overview

Matt represents, individuals, businesses, public pension funds, and insurers in complex antitrust class actions. His practice spans a wide range of industries but with particular focus on pharmaceuticals and financial services. He currently litigates several pay-for-delay antitrust actions on behalf of consumers, health plans, and insurers alleging delayed generic entry for Opana ER, Bystolic, Sensipar, Xyrem, and Zetia. He has or is currently representing investors in financial services and commodity markets, including pension funds and traders in foreign exchange, international sovereign bonds, interest rate and credit derivatives, and commodity futures markets.

Matt previously worked for a nationally-recognized class action law firm and the New York State Office of the Attorney General Antitrust Bureau. He received the Louis J. Lefkowitz Memorial Award for his work investigating bid rigging and other illegal conduct in the municipal bond derivatives market, resulting in more than \$260 million in restitution to municipalities and nonprofit entities. He also investigated pay-for-delay matters involving multinational pharmaceutical companies.

Matt has been named a "Rising Star" by *The Legal 500*. In law school, he received the Jacob Burns Medal for Outstanding Contribution to the Law School. He was an intern for Judge Richard B. Lowe, III, in the New York Supreme Court Commercial Division.

Matt is also a member of the New York State Bar Association Antitrust Section's Executive Committee. He also serves as the chair of the Antitrust Section's Class Action and Private Litigation Committee.

Practice Areas

ANTITRUST AND COMPETITION LITIGATION

CLASS ACTION LITIGATION

COMMERCIAL LITIGATION

Education

Benjamin N. Cardozo School of Law School, J.D.

Swarthmore College, B.A.

Representative Matters

In re Foreign Exchange Benchmark Rates Antitrust Litigation

In re Humira (Adalimumab) Antitrust Litigation

In re Generic Pharmaceuticals Pricing Antitrust Litigation

In re Opana ER Antitrust Litigation

In re Platinum and Palladium Antitrust Litigation (Modern Settings LLC v. BASF Metals Limited)

In re Aftermarket Automotive Lighting Products Antitrust Litigation

In re Aggrenox Antitrust Litigation

In re Imprelis Herbicide Marketing, Sales Practices and Products Liability Litigation

In re Lidoderm Antitrust Litigation

ISDAFix Price-Fixing Litigation (Alaska Electrical Pension Fund v. Bank of America)

Sandhaus v. Bayer Corp.

Awards & Honors

Louis J. Lefkowitz Memorial Award, **New York State Office of the Attorney General** (2011)

Rising Star, **The Legal 500** (2020-2022)

New York Super Lawyers (listed annually since 2019)

Publications & Presentations

Publications

“Protecting Patents Through Tribal Immunity: A Failed Experiment,” Antitrust Advisor, American Health Lawyers Association, Vol. 2, Issue 1 (Feb. 2019) (co-authored with Gregory Asciolla)

“FDA Risk-Evaluation Guidance Unlikely to Help Generics,” Law360 (June 2018) (co-authored with Gregory Asciolla)

“Antitrust Plays Whack-A-Mole—Exclusion of Competition by Drug Monopolist Pops Up Again: Gaming the ‘REMS,’” Federal & Commercial Litigation Section of the New York State Bar Association, NYSBA NY Litigator (forthcoming) (co-authored with Antitrust Committee)

“CREAT[ing] a Partial Solution to Delayed Generic Competition,” Law360 (June 2016) (co-authored with Gregory Asciolla)

“Shall We Dance?’—Biologic-Biosimilar Competition Under the Biologics Price Competition and Innovation Act,” The CPI Antitrust Chronicle (December 2015) (co-authored with Gregory Asciolla)

“Whistle While You Work—For a Cartelist: Whistleblowers and Antitrust,” Federal & Commercial Litigation Section of the New York State Bar Association, NYBSA NY Litigator (October 2015) (co-authored with Antitrust Committee)

“Non-Cash Payments in Pay-For-Delay Cases Post-Actavis,” Antitrust Section of the New York State Bar Association Newsletter (December 2014)

“Rigorous Analysis Required (Wimps Need Not Apply): U.S. Class Action Litigation Update From Hydrogen Peroxide to Halliburton,” International Section of the New York State Bar Association Seasonal Conference (October 2014) (co-authored with Jay Himes)

“Angels Rush in Where Fools Fear to Tread: State Enforcement Against Patent Trolls,” The CPI Antitrust Chronicle (January 2014) (co-authored with Jay Himes)

Frequent contributor to monthly “Recent Developments” publication by the Health Care & Pharmaceuticals Committee of the American Bar Association, Antitrust Section.

Speaking Engagements

American Bar Association Section of Antitrust Law: Update on Benchmark Manipulation Litigation, 2022

New York State Bar Association Annual Meeting, 2021

New York State Bar Association Panel on COVID-19 and Antitrust, 2020

New York State Bar Association Annual Meeting, 2019

American Bar Association Section of Antitrust Law Brownbag on Pharmaceutical and Antitrust Developments in Q3, 2019

American Bar Association Section of Antitrust Law: State Enforcement Committee Webcast: Pushing Forward or Staying the Course?: Product Hopping, Exclusionary Conduct, and the Recent Suboxone MTD Ruling, 2017

Admissions & Memberships

Bar Admissions

New Jersey

New York

Court Admissions

U.S. District Court, District of New Jersey

U.S. District Court, Eastern District of New York

U.S. District Court, Southern District of New York

U.S. Court of Appeals, Second Circuit

U.S. Court of Appeals, Third Circuit

U.S. Court of Appeals, Seventh Circuit

Memberships

New York State Bar Association Antitrust Section Executive Committee, member

New York State Bar Association Antitrust Section Class Action and Private Litigation Committee, co-chair

American Bar Association Antitrust Section, member