



William F. Cavanaugh, Jr.

Partner

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William Cavanaugh is a senior litigation Partner and served as Co-Chair of the firm from 2007 to 2017. His areas of concentration include antitrust, intellectual property and commercial litigation.

A skilled trial attorney with extensive experience in both state and federal courts as well as in arbitrations, Mr. Cavanaugh has served as national and trial counsel in several large multiparty antitrust, fraud and consumer protection litigations in federal and state courts across the United States brought by private plaintiffs and state attorneys general. His clients include major pharmaceutical, medical device, food and beverage, and financial services companies. Mr. Cavanaugh also served as Deputy Assistant Attorney General for Civil Enforcement in the Antitrust Division of the United States Department of Justice in the beginning of the Obama Administration.

Mr. Cavanaugh is currently representing defendants in antitrust class actions and competitor litigations involving biologic drugs, contact lenses, educational products and financial service products. He is also representing the lead state plaintiffs in their antitrust enforcement action against a multinational technology company. He recently led a trial team to a defense judgment in a patent infringement case involving surgical instruments and secured affirmance in the Seventh Circuit of a summary judgment ruling in a RICO case involving a pharmaceutical product.

Mr. Cavanaugh's trial experience also includes securing defense verdicts in a multi-billion dollar antitrust class action, civil fraud class actions and representing a plaintiff medical device manufacturer in back-to-back jury verdicts of \$325 million and \$271 million in patent infringement cases against two competitors. He has successfully tried a number of Hatch-Waxman patent cases and represented a number of major health care companies in arbitrated contract disputes.

Mr. Cavanaugh is an elected Fellow of the American College of Trial Lawyers. He was recognized as a "National Practice Area Star" and a "Litigation Star" for New York in the areas of Antitrust, General Commercial, and Intellectual Property by *Benchmark Litigation*, and was named the *Best Lawyers*® 2015 Litigation - Antitrust "Lawyer of the Year" in New York City. He is also recognized in *Chambers USA*. He has been ranked in *Who's Who Legal 2024* in the area of Commercial Litigation and recognized as one of its 2025 Thought Leaders USA. In January 2025, Mr. Cavanaugh was named to the *American Lawyer's* "Litigator of the Week Runners-Up" column for representing Wells Fargo in an antitrust litigation.

With respect to his antitrust work, clients quoted in *Benchmark* have called Mr. Cavanaugh "one of the best antitrust lawyers to be found anywhere." One stated that, "Bill has an amazing depth of experience and knowledge in antitrust. From a counselling perspective, he is able to give quick guidance and recommendations, which many attorneys are hesitant to do." *Chambers USA* noted that his, "antitrust practice covers a broad spectrum of industries, including pharmaceuticals and financial services.

Sources are quick to highlight his '*big trial record*' and agency experience as particular strengths." *Chambers USA*, also recognized Mr. Cavanaugh for his patent litigation skills. Sources "describe him as '*very accomplished*' and '*a strong first chair*'" in his representation of "marquee clients in business-critical patent cases." The guide states that, "[t]he '*formidable*' William Cavanaugh, observers comment, is '*an excellent trial lawyer and strategist, quick on his feet and excellent at conveying points clearly and persuasively in the courtroom.*' He represents a "*fine choice of counsel for cases in the technology and life sciences sectors,*" and is "*an all-around excellent litigator.*"

Admissions

- U.S. Supreme Court
- U.S. Court of Appeals, First Circuit; Second Circuit; Third Circuit; Fourth Circuit; Seventh Circuit; Ninth Circuit; Federal Circuit; District of Columbia Circuit
- U.S. District Court, Southern, Eastern, Western and Northern Districts of New York; Central District of California; Northern District of Illinois; Eastern District of Wisconsin
- New York
- California

Professional Activities

MEMBERSHIPS: Fellow, American College of Trial Lawyers; Member, American Bar Association; American Intellectual Property Law Association; Association of the Bar of the City of New York; California Bar Association; Federal Bar Council; New York State Bar Association

HONORS: Ranked in *Who's Who Legal* in the area of Commercial Litigation; Recognized in *Who's Who Legal Thought Leaders USA*; Recognized in *Chambers USA* in the area of Intellectual Property: Patent; Named the *Best Lawyers®* 2015 Litigation - Antitrust "Lawyer of the Year" in New York City; Listed as a "Litigation Star" for New York in Euromoney Institutional Investor PLC's *Benchmark: America's Leading Litigation Firms and Attorneys*; Named in *Super Lawyers* in the area of Antitrust and Commercial Litigation; Named to the "Irish Legal 100"; Named to the *American Lawyer's* "Litigator of the Week Runners-Up" column in January 2025

Publications

- Co-Author, "Short Essays on Trial Skills," *ABA's Antitrust Magazine Volume 40, Issue 2* (March 24, 2026)
- Co-Author, "Navigating Class Certification Challenges in the Antitrust Context," *GCR's Americas Antitrust Review* (August 12, 2024)
- Co-Author, "Federal Suit by Ohio Physicians Challenging Noncompete Agreements Dismissed for Lack of Antitrust Standing," *Competition Policy International* (May 20, 2024)
- Co-Author, "Trends in Class Certification," *GCR's US Courts Annual Review, Fourth Edition* (July 28, 2023)
- Co-Author, "Trends in Class Certification," *GCR's US Courts Annual Review, Third Edition* (June 24, 2022)
- Contributor to www.AntitrustUpdateBlog.com
- Co-Author, "Trends in Class Certification," *GCR's US Courts Annual Review, Second Edition* (July 19, 2021)
- Contributor, *Antitrust Year in Review (United States)*, ABA Section of International Law (2015; Spring 2016)
- Co-Author, "EU Pursues Questionable Antitrust Case Against Google," *Law360* (June 1, 2015)
- "5 Steps for Handling an Antitrust Subpoena or CID," *Corporate Counsel* (April 9, 2014)
- "Evaluating Pay-For-Delay Deals After FTC V. Actavis," *Law360* (June 19, 2013)

Education

- St. John's University School of Law (J.D., 1980)
- St. John's University (B.S., *magna cum laude*, 1977)

Antitrust

Below are representative antitrust matters for Mr. Cavanaugh.

- Secured a significant victory for a Fortune 500 publishing company with the full dismissal of a multi-district antitrust litigation in the Southern District of New York. The multi-district litigation consolidated a number of putative class action lawsuits alleging that our client, along with other textbook publishers and retailers, violated various federal and state antitrust laws through its implementation of Inclusive Access, a program authorized by federal regulation whereby students may be automatically billed for and automatically receive digital course materials selected by their professor.

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Defending Fortune 50 manufacturers of biologics in antitrust actions brought by competitor, direct, and indirect purchasers.

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Defend leading contact lens manufacturer in antitrust class action.

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Obtained an affirmance in the Second Circuit for a Fortune 50 Pharmaceutical Company in a Robinson-Patman Act case brought by a group of retail pharmacies alleging that the defendant's pricing practices harmed their ability to compete.

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Representing a contact lens manufacturer in the defense of an antitrust lawsuit brought by a discount retailer alleging anticompetitive pricing. Also defending our client in follow-on consumer class action suits that have arisen over the alleged price-fixing of contact lenses.

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Secured summary judgment for chocolate maker in antitrust price fixing case. The Third Circuit affirmed the decision.

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Defended a major pharmaceutical company in federal multidistrict class and individual actions, and state class actions, arising from allegedly anti-competitive pricing in the brand name prescription pharmaceutical market. The district court granted summary judgment and the Second Circuit affirmed the decision.

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Secured directed verdict on behalf of large U.S. pharmaceutical manufacturer in multi-defendant Sherman Act class action trial and argued appeal before Seventh Circuit on behalf of all manufacturers.

- Defended pharmaceutical company in antitrust jury trial involving four different plaintiff groups arising out of ANDA patent litigation and product "switching."

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Represented plaintiff in antitrust action involving alleged tying agreements for cancer drugs, including one week bench trial on preliminary injunction.

- Defending one of the nation's largest commercial banks as a defendant in a long-running series of litigations alleging violations of the antitrust laws by Visa, Mastercard, and a number of banks in the issuance of credit and debit cards. Several of the cases, including national class actions of merchants, have been settled.

- Defended pharmaceutical company in antitrust cases arising out of ANDA patent litigation.

- Advised corporate and trade group clients on a wide range of antitrust issues, including distribution rights, resale pricing, promotional programs and information exchanges.