



Jack E. Pace III

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Bars and Courts

New York State Bar

US District Court for the Southern District of New York

US District Court for the Eastern District of New York

US Court of Appeals for the First Circuit

US Court of Appeals for the Second Circuit

US Court of Appeals for the Third Circuit

US Court of Appeals for the Fifth Circuit

US Court of Appeals for the Seventh Circuit

US Court of Appeals for the Eighth Circuit

Education

JD, Fordham University School of Law, cum laude, Stein Scholar, Order of the Coif, 1998

BA, Fordham University, summa cum laude, Phi Beta Kappa, 1995

Languages

English

Citizenship

United States

Practice Experience

Mr. Pace represents clients in complex litigation matters, particularly class actions, involving claims under the antitrust, RICO, consumer protection and other laws. Mr. Pace's clients come from a wide variety of industries, including pharmaceuticals, financial services, agriculture, energy and insurance.

Mr. Pace is Executive Partner of White & Case's New York Office. He is also a member of the Firm's Global Competition and Commercial Litigation Practice Groups.

In 2013, Mr. Pace was named as one of 5 "Rising Stars" under age 40 among all US competition lawyers by the Law360 publication, in addition to being named one of 44 "Rising Stars" under 40 among all New York lawyers by the *New York Law Journal*. In 2011, he was named a co-MVP in the competition category of Law360's Legal MVP series for his accomplishments in antitrust litigation that year.

Representative cases include the following:

- Representing Pfizer in consolidated class action litigation involving the sale of Effexor XR, a leading antidepressant, and claims under the antitrust, consumer protection, and other laws.
- Successfully defended a leading global potash supplier in consolidated class action litigation involving claims under the antitrust laws.
- Represented Experian Information Solutions, Inc. and obtained a jury verdict on all claims in an action brought by Fair Isaac Corporation involving allegations of unfair competition and trademark infringement in the sale of credit risk scoring services. The jury also found in favor of Experian on its counterclaim that the Plaintiff had committed fraud on the U.S. Patent and Trademark Office in obtaining its registration for the trademark-in-suit.
- Represented Experian Information Solutions, Inc. and obtained dismissal of all antitrust and false advertising claims on summary judgment in an action brought by Fair Isaac Corporation against the three major U.S. credit reporting agencies and their joint venture.
- Represented Experian Information Solutions, Inc. in class action litigation and obtained dismissal of all claims in an action asserting antitrust claims against the leading financial institutions, credit reporting agencies and credit scoring companies.
- Successfully defended a leading global pharmaceutical manufacturer in preliminary injunction proceedings challenging FDA

approval of a complex drug based on biological material.

- Represented a leading agribusiness company in connection with a number of antitrust class actions pertaining to the sale of genetically-modified seed and herbicide products. In the leading federal action, after an extensive evidentiary hearing on certification issues, the district court denied plaintiffs' motion to certify a nationwide class. The decision was upheld by the 8th Circuit Court of Appeals in a leading decision on the standards to be applied to class certification motions in antitrust litigation (*Blades v. Monsanto*).
- Represented a leading pharmaceutical company in putative class actions involving claims under Title VII and the wage and hour laws, respectively. Obtained the dismissal of all claims against our clients in both matters on grounds of corporate separateness and plaintiffs' failure to justify piercing the corporate veil.
- Represented a major pharmaceuticals manufacturer in a monopolization case involving allegations of fraud on the United States Patent and Trademark Office and obtained successful resolution on the eve of trial.
- Represented a legal services support company in connection with a putative class action asserting claims under state deceptive and unfair trade practices laws. Obtained denial of class certification motion and dismissal of all claims against our client.
- Represented a nationwide chain of quick lube service centers in a putative class action on behalf of purchasers around the country. Obtained a precedent-setting dismissal of all claims against our client on personal jurisdiction grounds.
- Represented debtors and creditors in some of the largest bankruptcy proceedings in history, including the Adelphia Communications Corporation and Mirant Corporation matters.
- Represented a coalition of insurance companies in a 10-week jury trial, which led to the first verdict against the tobacco industry by a third-party payer.

Mr. Pace is an Associate Editor of *Antitrust Magazine* and regularly publishes articles on antitrust law, class certification and other complex commercial litigation topics.

Mr. Pace is a member of White & Case's Knowledge and Technology Committee and has many years of experience advising clients on e-discovery issues such as document retention policies, document collection and discovery management.

Mr. Pace is the Chairperson of the Board of Directors of Reach Out and Read of Greater New York, a not-for-profit organization focusing on pediatric literacy. He also serves as the supervising partner in connection with the Firm's work with inMotion, a not-for-profit organization that provides free legal and social services to low income women in New York City.

Publications

Co-author, "Third Circuit Holds, 'Give Peace a Chance': The *De Beers* Litigation and the Potential Power of Settlement," *Antitrust*, Volume 27, No. 2, Spring 2013 (with Erika L. Shapiro)

Co-author, "E-discovery 'Worst Practices,'" 4 *The Senior Lawyer* 1, 56, Spring 2012 (with John D. Rue and Jason A. Bartlett)

Contributor to *Antitrust Law Developments* (Seventh) (chapter on equitable and class action tolling), 2012

Contributing editor, *The Monopolization and Dominance Handbook*, American Bar Association, Antitrust Section, July 2011

Co-author, "From Shady to Dark: One Year Later, *Shady Grove's* Meaning Remains Unclear," *Antitrust*, Volume 25, No. 2, Spring 2011 (with Rachel J. Feldman)

Co-author, "E-discovery 'Worst Practices': Ten Sure-Fire Ways to Mismanage Document Review and Production," 14 N.Y. Bus. L.J. 2, 62, Winter 2010 (with John D. Rue and Jason A. Bartlett)

Co-author, "E-discovery 'Worst Practices,'" 2 *The Senior Lawyer* 2, 33, Fall 2010 (with John D. Rue)

Co-author, "E-discovery 'Worst Practices': Ten Sure-Fire Ways to Mismanage a Litigation Hold," 13 N.Y. Bus. L.J. 2, 48, Fall 2009 (with John D. Rue)

Contributor to *Annual Review of Antitrust Law Developments* for 2008 (chapter on vertical non-price restraints)

Co-author, "Early Reflections on e-Discovery in Antitrust Litigation: Ten Months into the New Regime," *Antitrust*, Volume 22, No. 1, Fall 2007 (with John D. Rue)

Co-author, "The Recent Wave, or Ripple, of Antitrust Class Certification Denials," *Antitrust Practitioner*, Volume 5, December 2006 (with Victoria L. Oswald)

"Testing the Security Blanket: An Analysis of Recent Challenges to

Stipulated Blanket Protective Orders," *Antitrust*, Volume 19, No. 3, Summer 2005

Co-author, "Conspiratologists at the Gate: The Scope of Expert Testimony on the Subject of Conspiracy in a Sherman Act Case," *Antitrust*, Volume 17, No. 2, Spring 2003 (with Robert A. Milne)

"The Future of Legal Services: Legal and Ethical Implications of the LSC Restrictions," Forward, 25 *Fordham Urban Law Journal*, Page 279, 1998

"Automatic Stays and Governmental Operations: How New York State Protects the Government from the Poor," 24 *Fordham Urban Law Journal*, Page 137, 1996

Professional Associations

American Bar Association, Litigation and Antitrust Sections
Antitrust Magazine, Editor
New York City Bar Association, Antitrust & Trade Regulation Committee

Panels/Speeches

"Recent Antitrust Developments: June, July, and August 2013," ABA Section of Antitrust Law, Health Care and Pharmaceuticals Committee, Sept. 13, 2013

"Class Actions in Federal Court after Shady Grove," sponsored by Strafford Publications Inc., July 14, 2011

"U.S. Supreme Court's Decision in AT&T Mobility, LLC v. Concepcion," Bloomberg Radio, April 28, 2011

Guest Lecturer, "Antitrust Law," Fordham University School of Law, 2009, 2010

Keynote speaker, Volunteer Lawyers for Justice (on private law firm support for public interest legal work), April 8, 2009

"Hot Topics in E-Discovery: Attorney-Client Privilege, New FRE 502, and Spoliation Sanctions," Bloomberg Litigation Seminar, June 5, 2008

"Managing Second Requests: Electronic Discovery," Antitrust Practicum Brown Bag Series, ABA Section of Antitrust Law and Young Lawyers Division Antitrust Committee, February 27, 2008

"Global Cartel Investigations and Recent Antitrust Law Developments: Japan, the EU, the US, and China," Japan Machinery Center for Trade and Investment, September 13, 2007

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"Global Cartel Investigations and Recent Antitrust Law Developments:
Japan, the EU, the US, and China," White & Case Tokyo Special
Invitation Seminar, September 12, 2007

"Understanding Electronic Discovery," Agilysys eDiscovery Conference,
June 14, 2007