



→ Bevin M.B. Newman

Partner

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Bevin Newman is a partner in the Antitrust and Competition Practice Group in the firm's Washington, D.C. office.

Areas of Practice

Bevin is a strategic adviser to clients in cutting-edge affiliations and collaborative arrangements. She focuses much of her practice in the healthcare industry, bringing over 20 years of experience advising and defending globally renowned health systems, academic medical centers, providers, payers and pharmaceuticals companies undertaking significant transactions, including mergers and acquisitions, joint ventures, intellectual property licenses and innovative alliances, as well as on conduct matters. She represents clients before the Federal Trade Commission, the Department of Justice and state attorneys general on complex antitrust matters.

Bevin also has extensive experience coordinating the merger-control, foreign direct investment (CFIUS) and regulatory reviews of multi-jurisdictional transactions for U.S. and foreign clients in the pharmaceutical, medical device, technology and energy industries. She is one of the most experienced Hart-Scott-Rodino Act (HSR Act) practitioners in the country. She has advised on multiple antitrust matters for Caremark, Cigna, UPMC, Duke University, Yale-New Haven Health System, Centura, SSM Health, UnityPoint, Abbot Laboratories, Boehringer Ingelheim, Sumitomo Dainippon Pharmaceuticals and Bon Secours Mercy Health.

Bevin frequently writes and speaks on antitrust and competition issues, particularly in the healthcare field. Her publications include *Antitrust Aspects of Mergers and Acquisitions (BNA Corp. Practice Series)* and "An Overview of Federal Antitrust Laws and Enforcement Policies" (*CCH Health Care Compliance Professionals Manual*). She served on the editorial board for the ABA's Antitrust Compliance and is a member of the Antitrust and Health Law Sections of the ABA and Antitrust Section of the American Health Lawyers Association.

Outside of her antitrust practice, Bevin maintains an active pro bono practice, representing refugees seeking safety for themselves and their children.

Honors

M&A Client Service All-Star, *BTI Consulting*, 2021

Recommended Lawyer, Antitrust - Merger Control, *Legal 500*, 2021-2023

Experience

Select Representations:

- *Duke University Health System and WakeMed Health enter into heart and cancer service line revenue mergers* - Represented Duke University Health System and WakeMed Health in creating joint operating agreements for the collaboration of both Cancer Care Plus+ and Heart Care Plus+.
- *Celularity acquires certain assets from TNK Therapeutics* - Advised Celularity Inc. in connection with its acquisition from TNK Therapeutics of certain intellectual property rights related to TNK's proprietary chimeric antigen receptor (CAR) constructs and related CARs.
- *Sumitomo Dainippon Pharma acquires Tolero Pharmaceuticals, Inc.* - Advised Sumitomo Dainippon Pharma Co. Ltd., a leading pharmaceutical company based in Japan, in its acquisition of Tolero Pharmaceuticals, Inc.
- *Investcorp International acquires Agromillora Catalana* - Advised Investcorp International Ltd. in its acquisition of a majority stake in Agromillora Catalana, S.A., parent holding company of an international group engaged in the production, propagation and genetic development of woody trees species and rootstocks for agricultural use, from Nazca.
- *Shenzhen Energy Group acquires PV solar generation facilities from Recurrent Energy for \$232 million* - Advised Shenzhen Energy Group Co., Ltd. on its \$232 million acquisition of a portfolio of PV solar generation facilities in California from Recurrent Energy, a wholly owned U.S. subsidiary of Canadian Solar.
- *Kroger and Axiom Pharmacy acquire ModernHEALTH to create combined specialty pharmacy* - Advised The Kroger Co., world's largest grocer, and its specialty pharmacy subsidiary, Axiom Pharmacy Holdings, Inc., in its acquisition of the outstanding shares of Modern HC Holdings, Inc. (ModernHEALTH), a leading specialty pharmacy, creating a combined specialty pharmacy that will operate as a wholly-owned subsidiary of The Kroger Co.
- *AREVA sells subsidiary Canberra to Mirion-Charterhouse* - Represented AREVA in the sale of its subsidiary, Canberra, a leading provider of innovative and cost-effective nuclear instrumentation solutions, to Mirion-Charterhouse.
- *Bon Secours signs joint venture with Westchester Medical Center* - Advised Bon Secours Health System, Inc. (BSHSI), a Catholic health system sponsored by Bon Secours Ministries with multiple hospitals and facilities across six states, and its subsidiary, Bon Secours Charity Health System, Inc. (BSCHS), a three-hospital health system north of New York City, with respect to the sale of its controlling interest in BSCHS to, and the creation of an ongoing joint venture arrangement with, Westchester Medical Center (WMC).

Articles

- 2024 Top-of-Mind Issues for Life Sciences Companies
01.25.2024
- The US FTC secures an innovative structural relief to prohibit interlocking directorates and preserve competition in the natural gas market (Quantum Energy Partners / EQT Corporation)
Concurrences, 09.01.2023
- Two Important Antitrust Cases Decided by US Supreme Court
Global Competition Review, July 2021
- GCR US Courts Annual Review: Supreme Court
Global Competition Review, 07.2020

- Territorial Considerations: the US Perspective
GCR's Insight Private Litigation Guide, 01.2020
- "Revised and Revived: Mandatory Notifications for M&A Transactions in 2015," *The M&A Lawyer*, Vol. 19, Issue 2, February 2015
- "U.S. Antitrust Agencies Pursue Deals Reported Under Higher HSR Thresholds (And All The Others, Too)," *The M&A Lawyer*, Vol. 18, Issue 1, February 2014

Healthcare Law Blog Posts

- "Higher Jurisdictional and Filing Fees Thresholds for HSR Act Premerger Notifications and Interlocking Directorates Announced," January 23, 2024
- "Healthcare Antitrust Update: Key Antitrust Takeaways for Physician Groups," June 14, 2021
- "Higher Filing Thresholds for HSR Act Premerger Notifications and Interlocking Directorates Announced," January 29, 2020
- "Is Prescription Drug Pricing The Cure For Partisanship?" July 25, 2019
- "The State of Washington Has Another Arrow in its Healthcare Antitrust Quiver. State Healthcare Antitrust Enforcement in the Spotlight," July 24, 2019

Antitrust Law Blog Posts

- "What the FTC's Noncompete Ban Means for Healthcare," April 30, 2024
- "FTC Votes to Ban Noncompete Agreements," April 24, 2024
- "FTC's Campaign Against Improper Orange Book Listings Continues with Amicus Brief in Teva's Challenge of Amneal Asthma Inhaler ANDA," April 3, 2024
- "The Wait is Over: DOJ and FTC Issue Final Merger Guidelines," December 20, 2023
- "Mergers & Acquisitions Update: A Closer Look at the Impact of the FTC and DOJ's Proposed HSR Act Filing Reform on Private Equity Firms," October 5, 2023
- "FTC Sues Private Equity Firm and Anesthesiology Practice for Antitrust Violations," September 26, 2023
- "Antitrust Enforcement Agencies Continue to Target Interlocking Directorate Arrangements," August 23, 2023
- "A Big Deal: FTC and DOJ Issue Long-Awaited New Draft Merger Guidelines," July 20, 2023
- "Notice of Proposed Rulemaking: FTC Proposes to Redesign and Dramatically Expand the Scope of the HSR Act Filing Process," June 28, 2023
- "Department of Justice Withdraws Key Healthcare Antitrust Policy Statements," February 6, 2023
- "Higher Jurisdictional and Filing Fees Thresholds for HSR Act Premerger Notifications and Interlocking Directorates Announced," January 24, 2023
- "FTC Seeks to Ban Noncompete Agreements in Employment Contracts," January 6, 2023

- "New Law Substantially Increases HSR Filing Fees for Large Transactions," January 5, 2023
- "HSR Practice Alert – FTC is Making Changes to Respond to the "Massive Surge" in HSR Filings," August 27, 2021
- "Vertical Deals in Healthcare: Key Antitrust Takeaways for Private Equity Firms," March 5, 2021
- "Lower Filing Thresholds for HSR Act Premerger Notifications and Interlocking Directorates Announced," February 2, 2021
- "U.S. Courts Annual Review: Supreme Court," August 5, 2020
- "DOJ Issues First Business Review Letter Approving Competitor Collaboration In Response To COVID-19," April 17, 2020
- "Speeding Up and Slowing Down Antitrust Reviews – How the Federal Antitrust Agencies Are Responding to the COVID-19 Crisis," March 30, 2020
- "Coronavirus Sparks Changes to Premerger Notification Process at the FTC," March 16, 2020
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"Navigating Dangerous Shoals: The Murky but Critical Territorial Boundaries of U.S. Antitrust Jurisdiction," January 22, 2020

- "The State of Washington Has Another Arrow in its Healthcare Antitrust Quiver: State Healthcare Antitrust Enforcement in the Spotlight," July 24, 2019

FDA Law Blog Posts

- "2024 Top-of-Mind Issues for Life Sciences Companies," January 25, 2024

Media Mentions

HSR Essentials for Health Care Companies
American Health Law Association, 04.30.2020

Speaking Engagements

"Life Sciences Year End Review – Implications of 2023 Regulatory and Enforcement Developments," American Health Law Association, January 17, 2024

"Law, Economics, and Policy of Price Transparency and Prescription Drug Pricing," AHLA Annual Meeting, July 1, 2020

"Hot Topics and Recent Developments in Health Care Antitrust Law," Taos Health Law Roundtable (ABA Health Law Section), Taos, New Mexico, January 25, 2020

"Innovative Collaborations: Working Together without a Merger," American Health Lawyers Association Annual In-House Counsel Meeting, Chicago, Illinois, June 24, 2018

"Medical Device vs. Pharmaceutical Markets – Does One Size (i.e., Analysis) Fit All?" ABA Antitrust Section Healthcare and Pharmaceuticals Committee, February 15, 2018

Antitrust in Healthcare Conference, American Health Lawyers Association and American Bar Association, Arlington, Virginia, May 13-14, 2014

Health Law Symposium: The New Era of Healthcare Antitrust, American Health Lawyers Association and the Colorado Bar Association, Denver, Colorado, March 15, 2014

"Managed Care Disputes and Litigation," American Conference Institute, Atlanta, Georgia, October 21-23, 2013

"The Transformed U.S. Healthcare Landscape: Navigating the New Frontier," American University Washington College of Law, Washington, D.C., March 16, 2013

Events

The FTC's Rule Banning Noncompetes is Final: What Do We Do Now?
Webinar, 05.07.2024

Health Care Transactions
Nashville, TN, April 15-17, 2024

Healthcare and Life Sciences Antitrust – The Year in Review and a Look Ahead to What You Need to Know for 2022
Webinar, 02.24.2022

Vertical Deals in Healthcare: Key Antitrust Takeaways
Webinar, 04.27.2021

Antitrust Hot Topics in Pharmaceuticals and Biologics
American Health Law Association Live Webinar
04.22.2021

Critical Antitrust Issues for Healthcare Companies During the COVID-19 Pandemic
Webinar, 04.14.2020

Third Thursday Emerging Company Webinar Series
The Potential Impact of FIRREA on Venture Investments: Who Invited CFIUS to Our Preferred Stock Financing?
Webinar, 03.19.2020

Women in Healthcare Leadership Collaborative (WHLC) Presents: A View from the Capitol
2020 Healthcare Policy, Legal and Regulatory Predictions
Sheppard Mullin, New York and Sheppard Mullin, San Francisco, 01.23.2020

Healthcare - What You Need to Know in 2020
Roundtable and Networking Event
Sheppard Mullin, Washington D.C., 12.05.2019

Podcasts & Webinars

The FTC's Rule Banning Noncompetes is Final: What Do We Do Now?
05.07.2024

Healthcare and Life Sciences Antitrust – The Year in Review and a Look Ahead to What You Need to Know for
2022
02.24.2022

Vertical Deals in Healthcare: Key Antitrust Takeaways
04.27.2021

Nota Bene Episode 98: The U.S. Supreme Court's Mark on U.S. Antitrust Law for 2020 with Thomas Dillickrath
and Bevin Newman
09.23.2020

Nota Bene Episode 86: Post-Pandemic International Competition Regulations that are Suddenly In Play with Leo
Caseria, Jacques Derenne, David Garcia, and Bevin Newman
06.17.2020

Practices

Antitrust and Competition

Healthcare / Antitrust

CFIUS: Foreign Investment in the U.S.

Antitrust Counseling and Compliance

Digital Health

Government Merger and Civil Conduct Investigations

Governmental Practice

Healthcare

Private Civil Antitrust Litigation

Industries

Education

Healthcare

Life Sciences

Education

J.D., Columbia University, 1995, Harlan Fiske Stone Scholar 1993-1995, Submissions and Articles Editor,
Columbia Journal of Transnational Law

S.B., Massachusetts Institute of Technology, 1992, National Merit Scholar

Admissions

District of Columbia