

Antitrust, HSR Attorneys Opine on Final Premerger Rules' Lack of Labor Market Provisions in *Law360*

In the News

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Stinson LLP Partners [Jeetander Dulani](#) and [Nicci Warr](#) and Of Counsel [Bill Kearney](#) authored an article for *Law360*, "Inside FTC's Decision To Exit Key Merger Review Labor Memo."

The attorneys examine the past focus between the Federal Trade Commission (FTC) and the Antitrust Division of the U.S. Department of Justice (DOJ) on competition in labor markets, including proposed changes to the Hart-Scott-Rodino rules and a signed memorandum of understanding with federal labor agencies to step up enforcement of labor issues in merger investigations. They also explore the recent final rule on premerger notification filings, which does not include the requirement for merging parties to provide labor-related information to the antitrust agencies.

The attorneys note that the lack of labor market considerations in the new Hart-Scott-Rodino rules has been seen by some as a shift in focus by the FTC, indicating the agency may lessen its focus on labor markets.

"But the new merger guidelines do focus on labor market issues, and those guidelines were approved in December 2023," the attorneys write. "The antitrust agencies are likely to continue to refine the way they analyze labor markets, seeking more specific — and relevant — information during an investigation, rather than relying on broad categories of information in premerger filings."

Dulani's practice includes competition disputes, class actions, mergers and acquisitions, government investigations and other complex litigation. He represents clients before the DOJ and FTC in merger and conduct investigations, as well as False Claims Act-related litigation, and advises on antitrust risk and compliance and on vertical business arrangements.

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Kearney's practice serves clients domestically and internationally and focuses on premerger notification compliance under the HSR Act. He also has extensive experience handling matters involving DOJ and FTC antitrust investigations concerning corporate mergers and acquisitions and joint ventures in various industries, including financial services, pharmaceuticals, software and telecommunications.

Warr's experience working on complex litigation and counseling matters spanning antitrust, consumer protection laws and intellectual property issues gives her a unique perspective that helps her find effective and efficient solutions for her clients. Much of Warr's work focuses on new and emerging technologies and matters involving the intersection of intellectual property and antitrust law.

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