

# ROXANN E. HENRY

[Henry.Roxann@me.com](mailto:Henry.Roxann@me.com)

+1-202-489-9556

[www.RoxannHenry.com](http://www.RoxannHenry.com)



Roxann Henry has practiced antitrust law for over 30 years and has handled all aspects of antitrust, including criminal defense, treble damage litigation and merger and non-merger investigations, including as lead counsel winning a rare corporate criminal antitrust jury acquittal and securing dismissal of charges against an individual in the notorious chicken price-fixing trials of 2021-2022.

Ms. Henry has appeared before federal and state courts, the Federal Trade Commission (FTC), the Antitrust Division of the U.S. Department of Justice (DOJ), state attorneys general and a variety of overseas authorities, including the staff of the European Commission and Canadian Competition Bureau. Her experience spans a wide range of industries, including telecommunications, life sciences, aerospace and defense, healthcare, pharmaceuticals, construction, information and social networking technologies, mining, industrial and component products, transportation services, petroleum, specialty chemicals, financial services and food and consumer products.

Ms. Henry routinely represents clients in cartel investigations, coordinating worldwide defenses of multiple criminal, civil and administrative actions. Individuals, closely held companies and large corporate industry leaders in the U.S. and abroad have entrusted their defense to her, and, when necessary, she has vindicated clients as lead counsel at trial.

Ms. Henry won a rare corporate not-guilty jury verdict in a criminal antitrust trial and won the first court victory in over a decade against an FTC non-healthcare merger challenge. She has served as lead counsel in various complex civil commercial disputes related to competition issues, provided antitrust and trade practices counseling, compliance training and auditing, and handled merger antitrust clearance counseling. She drafted the *amicus curiae* brief of the American Bar Association to the Supreme Court in the *Twombly* case.

## EDUCATION

---

Vassar College (A.B., 1975)

Rutgers School of Law (J.D., 1978)

## RANKINGS

---

### Chambers Global Antitrust Cartels 2018

Sources report: "She is just a great lawyer who is very experienced, provides fabulous judgment and is a tireless worker for her clients."

Recommended by *Legal 500 US*, *Chambers USA*, *Global Competition Review*, *International Who's Who of Competition Lawyers*, and named one of Washington DC's *Top 50 Women Lawyers*.

Ms. Henry ranks in *Chambers USA* and has been recognized repeatedly by *Global Competition Review*, *Who's Who of Business Lawyers* (Leading Competition Lawyer and Thought Leader), the *National Law Journal* (M&A Antitrust Trailblazer Awards), *Legal 500*, and *Best Lawyers in America* (including Washington D.C.'s Top 50 Women Lawyers). She is a past Chair of the Antitrust Section of the American Bar Association (ABA), has repeatedly co-chaired its International Cartel Workshop, and has previously served as International Officer, Program Officer, co-chair of the Spring Meeting, and council member. At the invitation of the Department of Justice and Federal Trade Commission, Ms. Henry has served as a Non-Governmental Advisor to the International Competition Network (ICN), an organization of more than 100 competition agencies from around the world addressing antitrust enforcement and policy issues. She is a frequent speaker and often quoted in the media on antitrust issues.

Ms. Henry received her A.B. from Vassar College, and her J.D. cum laude from Rutgers University School of Law where she was the articles editor of the Rutgers Law Journal. She completed a Leadership Course from Harvard Business School.

## **BOARD AND PROFESSIONAL MEMBERSHIPS**

- American Bar Association, Antitrust, International and Criminal Justice Sections
- International Bar Association, Antitrust Committee
- Vassar College Alumnae Association (former Board of Directors, Vice President for Strategic Planning)
- Advisory Board, MLex Competition.

## **CLERKSHIP**

- Hon. Floyd R. Gibson, United States Court of Appeals for the Eighth Circuit, 1978-1980.

## **STATE BAR ADMISSIONS**

- District of Columbia
- New Jersey
- Pennsylvania

## **FEDERAL COURT ADMISSIONS**

- U.S. Supreme Court
- U.S. Courts of Appeals, District of Columbia Circuit, Sixth Circuit, Eighth Circuit, Ninth Circuit, and Eleventh Circuit
- U.S. District Courts, District of Columbia, District of New Jersey, Eastern District of Pennsylvania, and Eastern District of Michigan

## SELECTED SPEAKING ENGAGEMENTS

Frequent speaker on antitrust issues domestically and abroad, e.g.:

- “Hot Topics in Criminal Antitrust,” Minnesota State Bar Ass’n Annual Meeting (March 2023)
- “Criminal Investigations: Lessons from recent trials,” Federal Bar Ass’n (May 30, 2022) (discussed jury trials in 2021 and 2022 handled as lead counsel for a defendant against whom the government dismissed charges after the second trial)
- “The Per Se Rule,” NY Bar Ass’n Taft Seminar Series (November 2020)
- “Public Roundtable on Antitrust Criminal Penalty Enhancement and Reform Act (ACPERA),” Antitrust Division of the U.S. Department of Justice, Washington, D.C. (April 11, 2019)
- “Cartel Investigations in the U.S.” and “Class Certification,” American Bar Association Antitrust Section Masters Course IX, Cambridge MD (October 2018)
- “ACPERA in Civil Cases,” 66<sup>th</sup> Annual Antitrust Law Spring Meeting, Washington, D.C. (April 11, 2018)
- “Enforcers Roundtable,” 2018 International Cartel Workshop, Paris, France (February 14-16, 2018)
- “The Law and Economics of Horizontal Restraints,” Antitrust Law & Economics Institute for Federal Judges, Chicago, IL (October 15-18, 2017)
- “Plenary 3: Deterrence in Public Procurement,” International Competition Network, Cartel Workshop, Ottawa, Canada (October 4, 2017)
- “The New Trump Administration,” A Washington Briefing for South East Asia Companies (May 24, 2017)
- “Report on the Antitrust Section Task Force on Foreign Investment,” OECD Competition Committee Working Party No. 3, Paris, France (June 14, 2016)
- “Chair’s Showcase: Examining the Per Se Rule” and “Enforcer’s Roundtable,” 64<sup>th</sup> Antitrust Law Spring Meeting, Washington, D.C. (April 6-8, 2016)
- “Negotiating the Plea” and “Roundtable: Predicting the Future: What is Next in Global Cartel Enforcement,” 2016 International Cartel Workshop, Tokyo, Japan (February 3-5, 2016)
- “Recent Developments in Price-Related Anti-Monopoly Practices,” Antitrust in Asia II, American Bar Association Antitrust Section, Beijing, China (May 21-23, 2014)
- “Plea Negotiations,” 2014 International Cartel Workshop, Rome, Italy (February 19-21, 2014)
- “The Implications of DoJ’s Auto Parts Price-Fixing Enforcement,” West LegalEdCenter CLE Webcast (December 6, 2013)
- “Class Certification Post-Comcast,” Antitrust Law & Economics Institute for Judges, Arlington, VA (October 2013)

## SELECTED PUBLICATIONS

- “Antitrust Criminal Prosecutions Are Unconstitutional,” *CPI Antitrust Chronicles* (Feb. 2023).
- “Per Se Antitrust Offenses in Criminal Cases,” 2021 *Colum. Bus. L. Rev.* 114.
- “Criminal Cartel Prosecutions: Considerations on Attempts to Compensate Victims,” *Liber Amicorum in honor of Judge Douglas Ginsburg*, Concurrence (2020)
- “Cartels: What Every Antitrust Lawyer Should Know,” *American Bar Association Antitrust Section Masters Course IX CLE Materials* (October 2018)
- “Protecting Investments in People and IP While Avoiding Criminal Sanctions,” *Employment Law Commentary*, Volume 30, Issue 7 (July 2018)
- “Public Relations: An Integral Part of Defending Allegations of Price Fixing,” *2018 International Cartel Workshop CLE Materials* (February 2018)
- “Cartel Investigation Targets Beware: International Travel Restrictions With or Without a Plea,” *American Bar Association Antitrust Section Masters Course VIII CLE Materials* (September 2016)
- “Primer on Per Se Treatment Under U.S. Antitrust Law,” *64<sup>th</sup> Antitrust Law Spring Meeting CLE Materials* (April 2016)
- “Corporate Competition Law Compliance Programs,” *2016 International Cartel Workshop CLE Materials* (February 2016)
- “Rejection of the Antitrust Division’s Position on the Statute of Limitations,” *2015 International Cartel Workshop CLE Materials* (June 2015)
- “Antitrust Issues in the Global Marketplace,” *International White Collar Enforcement* (2012 Edition)
- “Criminal Antitrust Enforcement in the U.S.,” *Practical Law Company* (January 2012)
- “Twombly Has It Right: The Proper Balance of Public and Private Enforcement,” *2010 International Cartel Workshop CLE Materials* (February 2010)
- “Striking the Right Balance: A Case Study of United States Antitrust Law,” *Union Internationale des Avocats Annual Meeting Materials* (October 2009)
- “Rethinking the Trend to Ever-Increasing Jail Terms for Criminal Antitrust Violations,” *57<sup>th</sup> Antitrust Law Spring Meeting CLE Materials* (March 2009)