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Jeffrey W. Brennan, the FTC's principal drafter of the Commentary on the Horizontal Merger Guidelines, has extensive experience within the pharmaceutical and health care industries, focusing his practice on mergers, litigation, government investigations, and counseling.

Chambers USA ranks Mr. Brennan as a top antitrust attorney in Washington, D.C. and adds that he is an "extremely professional and excellent litigator" who is popular with clients for a "practical and knowledgeable approach." Best Lawyers in America 2010 and Super Lawyers also recognizes Mr. Brennan for his work in antitrust law.

In 2001, from his position as antitrust partner in a large law firm, Mr. Brennan joined the Federal Trade Commission (FTC)'s Bureau of Competition as Assistant Director, where he ran the Health Care Services and Products Division. In 2005, he became the Bureau's Associate Director. Upon departing the FTC for Dechert in 2006, the FTC Chairman presented Mr. Brennan with the Commission's Award for Distinguished Service for his leadership in advancing the Agency's competition mission--with particular recognition for his achievements in the health care sector and in mergers analysis.

As head of the FTC's Health Care Services and Products Division, Mr. Brennan supervised more than 30 attorneys and professional staff in antitrust investigations, litigation, and policy initiatives focused on health care competition--especially in the pharmaceutical, hospital, and medical profession sectors. He and his staff developed cases in emerging areas of antitrust law regarding patent settlement agreements between brand and generic drug manufacturers, abuse of government process in drug patent procurement and FDA procedures, sham litigation, and other exclusionary practices aimed at stifling rival entry and price competition. These matters were in addition to other investigations and litigation involving core antitrust areas, including mergers, joint ventures, price-fixing arrangements, and horizontal restraints. More than 30 cases under Mr. Brennan's direction resulted in FTC consent orders.

As FTC Associate Director, Mr. Brennan oversaw and directed merger and non-merger investigations across the Bureau of Competition and the FTC's regional offices, as well as special projects involving health care competition issues. He was chief FTC drafter of the Commentary on the Horizontal Merger Guidelines, which is the only comprehensive FTC-DOJ statement on U.S. merger analysis since the agencies issued the Horizontal Merger Guidelines in 1992. Mr. Brennan earned the Award for Superior Service for his work on the Commentary.

In private practice, Mr. Brennan has represented some of the country's largest companies in transactions, FTC and DOJ investigations, and antitrust litigation. He advises clients on the antitrust aspects of mergers, and innovator pharmaceutical companies in settling patent litigation. Mr. Brennan has tried seven government actions to enjoin proposed mergers, including most recently as counsel to Whole Foods Market, Inc., in defeating the FTC's effort to prevent consummation of Whole Foods' acquisition of Wild Oats Markets, Inc. Chambers USA described Mr. Brennan's role as "instrumental" to Whole Foods' victory in district court. Mr. Brennan currently is Vice-Chair of the Mergers & Acquisitions Committee of the American Bar Association's Antitrust Section, and is a former Vice-Chair of the Health Care and Pharmaceuticals Committee.