

# Robert M. Buchanan, Jr.

Partner

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Bob Buchanan is the leader of the Antitrust practice at Choate. He was named to *The National Law Journal's* annual list of "Antitrust Trailblazers," and was named 2019 Boston "Lawyer of The Year" for Antitrust Law by *Best Lawyers*. *Chambers USA* identifies Mr. Buchanan in the top tier in Boston (*i.e.* the six best lawyers in the city) for Antitrust litigation and counseling. He has also been named in *The Legal 500* for antitrust in the Northeast US and is listed as a *Massachusetts Super Lawyer*.

Mr. Buchanan chairs the Firm's Ethics Committee and is designated as in-house counsel for the Firm.

## EDUCATION

Harvard Law School  
JD, 1985, *cum laude*

Harvard University  
AB, 1982, *magna cum laude*,  
Phi Beta Kappa

## CLERKSHIP

Honorable Samuel Conti  
U.S. District Court, Northern District  
of California

## PRACTICE FOCUS

### Antitrust

Fully integrated antitrust services, which include counseling companies in strategically important transactions; analyzing whether Hart-Scott-Rodino filings are required and supervising their preparation; advocating before the FTC, the U.S. Department of Justice and various states; and litigating on behalf of commercially sophisticated companies that are plaintiffs or defendants in antitrust disputes.

### Litigation

Antitrust and regulatory litigation, class action defense, commercial disputes and trade secret claims. Clients include sophisticated companies in healthcare, life sciences, technology, energy, media, insurance and professional services. Recent trials have involved misrepresentation (international arbitration), breach of contract (U.S. arbitration) and damages in patent infringement (D Mass).

## REPRESENTATIVE ENGAGEMENTS

- Won summary judgment on behalf of Samsung in consumer class action filed in federal court.
- Wrote legal standard adopted by Supreme Judicial Court of Massachusetts on important issue of attorney-client privilege, after being recruited by Boston Bar Association to write amicus brief.

## ADMISSIONS

Massachusetts

U.S. Courts of Appeals,  
First & Eleventh Circuits

U.S. District Courts,  
Massachusetts &  
Eastern District of Michigan

## PRACTICE AREAS

Antitrust

Government Enforcement

Complex Trial & Appellate

Litigation

- Selected by two of top three health plans in Massachusetts as their joint antitrust counsel advising merger discussions.
- Selected by two competing hospitals as their joint antitrust counsel advising merger discussions.
- Filed trailblazing action that caused Massachusetts Department of Public Utilities to suspend unconstitutional limitations in state's renewable energy statute.
- Won judgment in favor of Fortune 50 company by successful motion to dismiss complaint in antitrust class action.
- Coordinated successful nationwide defense for major technology company faced with 33 state court class actions, winning summary judgment in Connecticut, Minnesota, Missouri and Wisconsin.
- Urged to successful conclusion, in less than one month, premerger second request by U.S. Department of Justice under Hart-Scott-Rodino Act, in critically important transaction for high technology company.

## PUBLICATIONS AND PRESENTATIONS

- "DaRosa Makes Life Easier for Massachusetts Gov't Lawyers," *author, Appellate Law360*, July 2015.
- "Mass. At Last Acquiesces To High Court On Arbitration," *co-author, Appellate Law360*, June 2015.
- "2014 Hart-Scott-Rodino Requirements," Choate Alert, January 2014.
- "Massachusetts Leads the Nation on the Attorney-Client Privilege for Law Firms," *author, Boston Bar Journal*, September 2013.
- "First-in-the-Nation Decision Upholds the Attorney-Client Privilege for Law Firms, Emphasizing the Important Role of Their In-House Counsel," Choate Alert, July 2013.
- "Massachusetts High Court Backs Privilege for Consults with Firm's In-House Counsel," *quoted, Bloomberg BNA*, July 2013.
- "Where Can a Lawyer Safely Turn for Advice About a Client?" *panelist, Boston Bar Association, Boston*, October 2012.
- "Six Steps You Should Take to Ward Off Costly Class Actions," *author, Corporate Counsel*, July 2012.
- "The U.S. Supreme Court's Landmark Decision in AT&T Mobility v. Concepcion: One Year Later," *author, Bloomberg's U.S. Law Week*, May 2012.
- "Boston Competition Bar Survey," *quoted, Global Competition Review*, October 2011, December 2012 and November 2013.

- “Hart-Scott-Rodino Changes Mean the FTC/DOJ Will Read More Strategic Planning Documents,” *author, VCExperts*, August 2011.
- “Advanced Antitrust: M&A and Year in Review,” *author and speaker, Boston Bar Association*, 2010.
- “Massachusetts Strikes Down Class Action Waivers,” *Choate Alert*, July 2009.
- “Massachusetts Class Actions: Mixed Signals from the SJC,” *author, Massachusetts Lawyers Weekly*, March 2009.
- “*Commonwealth v. Fremont*: Innovative Chapter 93A Litigation Applied to the Mortgage Crisis,” *author, Boston Bar Journal*, March 2009.

## PROFESSIONAL AND COMMUNITY INVOLVEMENT

Mr. Buchanan was the principal author of an important Opinion by the BBA Ethics Committee, which supports the BBA's pro bono initiative, announced in February 2010, to help needy individuals with bankruptcy filings. He is a past chair of the Boston Bar Association's Ethics and Antitrust Committees, and a past member of the Nominating Committee.

Mr. Buchanan is the co-president of the Lexington Street Neighborhood Association in his hometown of Weston, Massachusetts.