



WILLIAM E. BERLIN

Hall, Render, Killian, Heath & Lyman, P.C.
1425 K Street, NW
Suite 650
Washington, D.C. 20005
Phone: (202) 370-9582
Fax: (202) 370-9589
Email: wberlin@hallrender.com

PRACTICE AREAS

- Antitrust
- Accountable Care Organizations
- Alternative Dispute Resolution
- Clinical Integration Strategies & Networks
- Complex Litigation
- Hospital & Physician Transactions
- Mergers & Acquisitions

BIOGRAPHY

Bill Berlin is a shareholder in the firm's Washington, D.C., office and concentrates his practice on counseling and defending hospitals, health systems, physicians and other health care providers in federal and state antitrust enforcement agency investigations, as well as litigation, involving mergers and acquisitions, joint ventures and provider networks, exclusionary conduct by dominant firms and contracting provisions between hospitals, physicians and health plans. His litigation and government investigations frequently involve managing difficult procedural issues, including large-scale electronic discovery. Bill also serves as a monitor, arbitrator and mediator in antitrust disputes between health care entities and is certified as an arbitrator and mediator with the American Health Lawyers Association. Prior to joining Hall Render, he was in private practice and served as a senior trial attorney with the Antitrust Division's Health Care Task Force of the U.S. Department of Justice where he led investigations and litigation of both merger and non-merger civil antitrust cases. Most recently, Bill was appointed Monitoring Trustee by the Department of Justice and approved by the court to oversee a multi-billion dollar merger divestiture.

PREPARATORY EDUCATION

- Virginia Polytechnic Institute and State University, B.A., cum laude – 1985

LEGAL EDUCATION

- University of Virginia School of Law, J.D. – 1988

ADMITTED TO BAR

- Virginia
- District of Columbia
- Court of Appeals of the District of Columbia
- Supreme Court of Virginia
- United States Supreme Court
- United States Court of Appeals for the Third, Fourth, Sixth and Seventh Circuits
- United States District Court for the District of Columbia
- United States District Court for the Eastern District of Virginia

EXPERIENCE

- Monitoring Trustee, U.S. v. ABI SA/NV, et al. - 2013-present
- Shareholder, Ober Kaler, Grimes & Shriver - 2003-2015
- Senior Trial Attorney, U.S. Department of Justice, Antitrust Division - 1995-2003
- Associate, Arter & Hadden - 1988-1995

HONORS

- *The Legal 500* - 2013
- Listed in *Washington, D.C., Super Lawyers* - 2012-2015
- Selected by *Nightingale's Healthcare News* as an "Outstanding Antitrust Lawyer" – 2008

CIVIC INVOLVEMENT

- Arlington Retirement Housing Corp. - Member and Secretary, Board of Directors

PUBLICATIONS

- *Health Care Antitrust Developments*, Book Chapter, Health Law and Compliance Update, 2014, 2015, 2016 (Wolters/Kluwer Publishers)

PRESENTATIONS AND ARTICLES

- Author, *Will Consecutive FTC Losses Change the Antitrust Landscape for Hospital Mergers?*, 2016
- Author, *I Say Single Entity, You Say Antitrust Violation: Sixth Circuit Finds JOA Fails Antitrust Test*, 2016
- Author, *FTC Hospital Merger Win Streak Ends: PA Judge Rules in Favor of Hospitals, but FTC Fights On*, 2016
- Author, *FTC Announces Annual Hart-Scott-Rodino Premerger Notification Filing Thresholds Increase for 2016*
- Author, *Common Themes Emerge as FTC Challenges Three Hospital Mergers in Two-Month Period*, 2016
- Author, *Antitrust Risk Mitigation Strategies in Hospital and Physician Mergers*, American Health Lawyers Association, Healthcare Transactions Conference, 2016
- Presenter, *Practical Steps and Fixes in Hospital Mergers and Hospital Acquisitions of Physician Groups: Antitrust Considerations and Ways to Save Your Transaction*, American Health Lawyers Association, Healthcare Transactions Conference, 2016
- Author, *Timing Strategies in Responding to Agency Investigations of Hospital and Physician Mergers*, Antitrust in Healthcare Conference, American Health Lawyers Association, 2016
- Presenter, *What to Do When the Enforcers Call*, Antitrust in Healthcare Conference, American Health Lawyers Association, 2016
- Presenter, *Part I: Antitrust Issues, Agency Enforcement, and Risk Mitigation Strategies*, "What Every Seasoned Transaction Health Care Lawyer Should Know About Key Regulatory Elements of a Health Care Transaction," Webinar Series, American Health Lawyers Association, 2016
- Presenter, *ASC Mergers and Acquisitions*, Washington Ambulatory Surgery Center Association ASC Symposium, 2015
- Author, *FTC Challenges West Virginia Hospital Acquisition Despite Attorney General Approval*, 2015
- Author, *Antitrust Enforcers Tally Two More Wins in Provider Consolidation Battle*, 2015

- Presenter, *Reducing the Risks of Exclusionary Agreements, Exclusive Pricing, Realignment, Monopolization, and Other Business Maneuvers That Can Violate Antitrust Laws*, Fifth Annual Forum on Managed Care Disputes and Litigation, American Conference Institute, 2014.
- Presenter, *Antitrust Compliance in Hospital-Physician Mergers and Acquisitions*, Webinar, Strafford Publications, 2013.
- Presenter, *The Anatomy of Physician Integration - Part IV: Antitrust, Physician Organizations Bootcamp Webinar and Roundtable Discussion Series*, American Health Lawyers Association, 2013.
- Author and Presenter, *Hospital Acquisition of Physician Groups," Hospitals and Health Systems Law Institute*, American Health Lawyers Association, 2013
- Author, *Top Ten Practical Antitrust Compliance Tips for Health Care Providers (and Other Entities)*, RADLAW Bulletin, American College of Radiology, 2013
- Presenter, *Antitrust Investigations of Hospital-Physician Practice Acquisitions: Managing the Risk to Close*, D.C. Bar Association, 2012
- Presenter, *Developing a Health Care Antitrust Practice*, American Health Lawyers Association, 2012
- Presenter, *Mergers and Acquisitions: Physicians*, Antitrust in Healthcare Conference, American Bar Association and American Health Lawyers Association, 2012
- Author, *Hold Separate Agreements and Remedies in Physician Mergers*, Antitrust in Healthcare Conference, American Bar Association and American Health Lawyers Association, 2012
- Presenter, *Merger Mania: Health Care Reform's Impact on Markets*, 60th Antitrust Spring Meeting, Section of Antitrust Law, American Bar Association, 2012
- Author, *Should Responding to Healthcare Reform be a Defense in Hospital and Physician Mergers?*, 60th Antitrust Spring Meeting, Section of Antitrust Law, American Bar Association, 2012
- Presenter, *Minimizing the Risks of Consolidation, Realignment, Specialized Clauses, and other Business Maneuvers That Can Violate Antitrust Laws*, Second Annual Conference on Managed Care Litigation, American Conference Institute, 2012
- Presenter, *Antitrust Risk Rising: Challenges Faced by Health Plans in the Post-Reform Environment*, Willis Health Care Practice MCO Roundtable, 2011 Author and presenter, "Antitrust Developments, Agency Enforcement and Health Care Reform," Health Law National CLE Conference, 2011
- Author and Presenter, *Exclusionary Practices in Healthcare: Foreclosure or Competition Enhancing?*, Antitrust in Healthcare, American Health Lawyers Association and American Bar Association, Antitrust and Health Law Sections, 2010
- Moderator, *Why Don't Health Insurance Markets Work Like other Markets? Or Do They?*, Antitrust and Payers, Plans, and Managed Care Practice Groups & Healthcare Reform Educational Task Force, American Health Lawyers Association, 2010
- Author and Presenter, *Antitrust Developments and Enforcement Activities of the Obama Administration*, Health Law National CLE Conference, 2010
- Presenter, *Healthcare Antitrust*, National Society of Certified Healthcare Business Consultants, Mid-Winter Meeting, 2009
- Moderator, *What to Do When the Antitrust Enforcers Come Calling*, Antitrust and In-House Counsel Practice Groups, American Health Lawyers Association, 2009