

## Orrick's New Antitrust Litigation Head Is Looking To Hire

By **Aebra Coe**

*Law360 (January 31, 2025, 3:56 PM EST)* -- Former Weil Gotshal & Manges LLP partner Eric Hochstadt has taken on the newly created job of antitrust litigation leader at Orrick Herrington & Sutcliffe LLP. With the creation of the post, Hochstadt says he has big plans for building out a team around him at the firm within the practice area.

Whether it's through lateral hires from other law firms, hiring from law school or hiring from federal and state agencies, Hochstadt said he is excited to grow the practice group and bring on "an army of antitrust litigators" in order to take on the biggest class actions and other high stakes litigation in the antitrust arena.



Eric Hochstadt

"This opportunity to be the head of antitrust litigation is an opportunity of scale and growth that was not something that I could pass on and really shows a commitment by the firm to being a powerhouse in this area," Hochstadt said. "This is a commitment by them to continue investing and growing on what is already a great litigation department."

Hochstadt talked with Law360 Pulse about his plans for the role and for the practice, including his hiring vision, the type of work he plans to take on, and the reason he chose Orrick as a platform for it all. This interview has been edited for length and clarity.

### **Why did you choose to join Orrick?**

I chose Orrick because it's a litigation powerhouse. This is a commitment by them to continue investing and growing on what is already a great litigation department, which comprises half of the firm's practice. That was one reason.

The second reason is [Orrick chairman and CEO] Mitch [Zuklie]'s forward-thinking strategy for the law firm and [the firm's focus on] sectors like life sciences, technology, energy, and finance. Antitrust cuts across all of those industries, and I look forward to being able to join the management committee and have visibility across that platform to work with clients on their biggest litigations and transactions.

### **This position was created by the firm with your arrival. So what are your plans for the position? What do you plan to do with it?**

The plan is to grow. To represent the type of clients that Orrick has and that we want to attract, you need an army of antitrust litigators, and I'm excited to grow the team to attract these types of matters,

in terms of merger litigation, bet-the-company IP litigation, mega-antitrust class actions, treble damage exposure cases. So I'm looking, with the support of the firm, and to collaborate with colleagues internally, to grow the practice, from the law school pipeline through to associates, partners, and looking broadly, including folks with government experience and otherwise, to really create a diverse team that clients want to be their representatives in court in front of the agencies on their most important matters.

**What do the law firm's current capabilities in this area look like? Are you kind of starting from the ground up with that?**

I'm excited. Amy Ray has been leading up the antitrust practice as a counselor on the mergers and acquisition side. I'm excited to partner with her. The firm has made recent investments outside the United States in particular, in London. So I'm excited about that, but there's room for a lot more growth, both internally working with the firm's powerhouse litigation department, collaborating with great trial lawyers that are already here, to grow it. So, I think it's going to be a combination of both. We're starting with a good platform, and that will give us the runway we need to make it a market leading shop.

**What do you envision that growth looking like, and how do you plan on executing on it?**

I'm hopeful that my reputation and the work that I've done with a number of colleagues who are now out in various parts of the antitrust bar is going to generate excitement about this as a platform to join and be a part of from the ground floor. Then it's going to be the full court press, right? In terms of looking at folks who might be considering leaving the DOJ, the FTC, state attorney generals offices, and other good antitrust shops where maybe there's a crowded playing field and they're looking for new opportunities. So it's really going to run the gamut.

And then I'm also going to be excited to get the new generation, next generation talent from law schools and junior lawyers who are really eager to be in this space. When I started as an antitrust lawyer, the first Microsoft case was sort of what got me into it in the late '90s, and now the latest big tech cases are getting a lot of people into it and I want to work with the next generation.

**What are your plans for the practice more broadly? What type of work do you think you'll be doing over the next couple of years?**

It's going to run the full gamut of antitrust work. So it's going to be defending companies in antitrust class actions. It's going to be competitor cases on the plaintiff's side or the defense side, companies suing each other. It's going to be companies trying to get their deals through the agencies and litigating those kinds of matters. It's going to be defending cases on appeal and working with our great appellate practice.

Just to give you a sense of it, this is a litigation powerhouse already. Josh Rosenkranz is a top tier appellate specialist, Rich Jacobsen is a phenomenal trial lawyer, and there's a number of others at the firm that I'm excited to work with who already are great specialists in their own right, and those are folks that I plan to collaborate with.

The investments that Orrick has made in the life sciences practice are tremendous. They've really built a top tier life sciences practice from a transactional litigation perspective. It's a really deep and talented bench. And the client relationships they have both on the transactional and litigation side, I expect to be doing a lot of antitrust work with them. They have thousands of technology clients. For nascent

competitors looking to get into marketplaces, there are going to be antitrust issues. Nascent competitors are doing transactions or getting acquired. There's going to be antitrust issues. So it really is going to run the gamut of the work.

**You mentioned hiring from several agencies. With the transition of a new presidential administration and everything that comes with that, and particularly this presidential administration, do you think there's more opportunity there right now for getting people from the government?**

With any change in administration, there's going to be dislocation and an opportunity, and we're looking forward to taking advantage of that. This is a period of uncertainty. We're coming off a number of years, including during Trump 1.0 but certainly during the Biden Administration, of aggressive antitrust enforcement by the Department of Justice and Federal Trade Commission. Similarly, the state attorneys general have been very active, and private antitrust suits are very busy because of treble damages and fee shifting for the prevailing plaintiffs. So antitrust enforcement across those three sectors, I call it tri-enforcement, combined with a period of uncertainty. What is Trump 2.0 enforcement going to look like? Is it just going to focus on big tech or will it expand to other industries? Will the states be stepping up more? How much of the focus will continue to be on labor? I mean that is ripe for great opportunities for counseling clients on how to navigate this dynamic regulatory environment where if they want to get a deal done, they want to show everyone that they've got a top tier antitrust litigation team ready to get that deal done. And if they have a bet-the-company case, they want to show the other side that they have a marquee practice of folks who know how to litigate antitrust cases in the courtroom to win those cases.

**Growth and scale were some goals that you stated upfront. Do you have any other goals for the team?**

Another goal is to really collaborate within an already great firm with this sector-focused platform that Mitch has been a real visionary in the business of law in creating. The goal is to collaborate across the platform and really integrate antitrust within all aspects of the firm and clients. The nice thing about joining in a double leadership role, in antitrust litigation and on the management committee, is having visibility across the platform so that we're top of mind and are embedded with clients from the beginning of the deals that they're thinking about or the litigations they're thinking of bringing or the litigations that they think they might get sued on. And that's a really unparalleled opportunity, and I'm excited about that.

--Editing by Brian Baresch.