



## Paul M. Kaplan

*Partner*

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Paul M. Kaplan is a partner in the Litigation practice group at Greenspoon Marder LLP. He brings over 35 years of experience in corporate and commercial litigation, with a focus on business litigation and dispute resolution, antitrust litigation and counseling, class action defense, and white-collar defense and civil and criminal investigations.

Mr. Kaplan represents domestic and foreign financial institutions, corporations, and their directors and officers in federal and state litigation and regulatory matters. He provides counsel to corporations on the antitrust implications of business transactions, aiming to minimize antitrust litigation risks. He also represents financial institutions and corporations facing regulatory or court enforcement actions. Additionally, Mr. Kaplan has represented corporations and senior executives in federal and state government investigations, encompassing both criminal and civil matters.

His industry experience spans a wide range of sectors, including financial services, telecommunications, healthcare, medical devices, consumer goods, electronics, college and amateur sports, automotive parts, university bookstores, and natural resources.

Before joining Greenspoon Marder, Mr. Kaplan practiced law with major law firms and corporations in the United States and Europe. He began his legal career in London, England with an Anglo-American law firm. After a clerkship with the late Honorable R. Ammi Cutter, a justice of the Massachusetts Supreme Judicial Court and Appeals Court, he joined the legal department of AT&T in New York. He also held vice president positions in the General Counsel's Office at Citibank, N.A. (Citigroup) and as Group Counsel at J.P. Morgan Chase (Chemical Bank).

Mr. Kaplan served as an Adjunct Professor of Law at Fordham Law School for 20 years, teaching an advanced antitrust course. He has also been a guest lecturer at the Hebrew University of Jerusalem, Faculty of Law, Boston University School of Law, and Northeastern University School of Law.

In his personal time, Mr. Kaplan is a four-time finisher of the New York City Marathon with a best-time of 3:48:31.

### Education

- LL.M., London School of Economics, University of London
- J.D., Northeastern University School of Law
  - Academic Scholarship
- B.A., Boston University, *Cum Laude* with distinction, Political Science and Philosophy
  - College of Arts & Sciences
  - Trustee Scholar
  - Dean's List

## Bar Admissions

- New York
- Massachusetts

## Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals, First, Second, and Tenth Circuits
- U.S. District Court for the Southern District of New York
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the District of Massachusetts

## Practice Areas

- Litigation

## Representative Experience

- Representation of hospitals, insurance companies, doctors, and healthcare providers in federal and state courts.
- Representation of the President of the U.S., Canadian and Mexican subsidiary of a Japanese auto parts manufacturer, NGK Spark Plugs, in a federal, criminal antitrust investigation by the U.S. Department of Justice, Antitrust Division for price fixing and bid rigging resulting in a non-prosecution agreement and grant of immunity from prosecution. Over 20 Japanese Executives were given prison sentences and criminal antitrust fines totaling \$4 billion were assessed.
- Representation of the cosmetic company, Lovely Skin, in *Darush v. Revision and Lovely Skin* in the U.S. District Court for the Central District of California in a Cartwright Act price fixing case, which was initially dismissed and finally settled for a nominal amount.
- Representation of Hickory Springs Manufacturing Co. in *In Re Polyurethane Antitrust Litigation* in the U.S. District Court for the Northern District of Ohio, a price fixing MDL class action. Settled after five years of litigation.
- Representation of Genesis Corp. in *Genesis Corp. v. Solomon-Page* in an employment dispute between two competitors in New York State Supreme Court and a Lanham Act, contract and tort claims in U.S. District Court for the Southern District of New York, both settled on favorable terms.
- Defense of Macquaire's Chairman, CEO, and five senior officers in *Macquaire Group Ltd. v. Pacific Corporate Group, LLC* in the U.S. District Court for the Southern District of California regarding a disputed joint venture. After four counterclaims were successfully pled, including a group boycott claim under Section 1 of the Sherman Act, the case was settled on favorable terms.
- Representation of Dialysis Corp. of America in its \$120 million acquisition by US Renal Care. Early termination within 20 days was obtained from the U.S. Federal Trade Commission.
- Mountain West College Football Conference: Testimony before the U.S. Senate Judiciary Committee on antitrust violations of college football Bowl Championship Series.
- Defense of Barnes & Noble Booksellers in *The Book Exchange v. Barnes & Noble College Booksellers* in the Circuit Court of Monongalia County, West Virginia. Successfully defended state price fixing and consumer protection claims resulting in their dismissal with prejudice.
- Submission of an amicus curiae brief in support of Petitioner for W.R. Hambrecht to the U.S. Supreme Court in *Credit Suisse Securities (USA) LLC, et al. v. Glen Billing* arguing for antitrust immunity for permissible underwriting conduct. Decision was entered for Petitioner.

## Professional and Community Involvements

- American Bar Association, Member
- Antitrust Law Section, Clayton Act Committee
- International Law Section
- New York City Bar Association

- Antitrust and Trade Regulation Committee
- Banking Law Committee
- The London School of Economics' New York Development Committee
- Board of the American Fund, The London School of Economics
- Boston University, College of Arts & Sciences, Dean's Advisory Board
- Board of the American Friends of Hebrew University of Jerusalem
- Board of the North American Conference on Ethiopian Jewry

## **Speaking Engagements**

- Speaker, "Nuts & Bolts - Think Antitrust Doesn't Affect Your Practice? Think Again!" Greenspoon Marder LLP, February 24, 2025
- "Webinar on Microsoft and Google Litigations," Thomson-Reuters/Westlaw, March 2022

## **Recognitions**

- AV Preeminent®, Martindale-Hubbell®, its highest rating for legal ability and ethical standards

## **Publications**

- "Legal and Illegal Monopolies: Why The PGA-LIV Merger Will Not Survive Regulatory Scrutiny," *New York Law Journal*, October 2023
- "It's Past Time to End the National Pastime's Antitrust Exemption," Thomson Reuters - *The Antitrust Counselor*, May 2023
- "Broken Windows and a Lost Search Engine: 'Microsoft' as a Roadmap for 'Google,'" *New York Law Journal*, February 2022
- "Wanting Your Cake and Eating It Too: Apple's Mistaken Strategy in \*Apple Inc. v. Pepper," *The Antitrust Counselor*, August 2019
- "An Important Case For Both Wall Street And Amateur Sports," Law360, August 2016
- "Critical Legal Advice to Japanese Companies and Their Executives in the Auto Parts Industry," *Shukan New York Seikatsu*, February 2016
- Understanding Federal Antitrust Laws

## **News**

- Understanding Federal Antitrust Laws
- Greenspoon Marder Adds Partner Paul Kaplan to Litigation Group in New York