



Katherine I. Funk

Shareholder

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Katie Funk is a trusted advisor to corporate executives and in-house legal departments, with more than 25 years of experience successfully navigating antitrust and business issues on behalf of clients in a range of industries.

Katie is an experienced antitrust and business attorney, regularly advising clients on transactions and investigations before the FTC, DOJ and state attorneys general. Earlier in her career, Katie served as an attorney at the FTC. She provides pragmatic business counsel on licensing and distribution arrangements, strategic transactions, competitor engagement, and global corporate compliance in a range of industries including health care, technology, agriculture and manufacturing. In addition, Katie assists clients navigating antitrust, consumer protection and privacy issues, including matters arising under the Magnuson Moss Warranty Act, the Federal Trade Commission Act, the "right to repair" and state enforcement proceedings.

Within the health care industry, Katie works with clients on the formation and operation of clinically integrated networks, the buying and selling of provider practices, and other health care system transactions.

Representative Matters

- Represent third-party in FTC merger review.
- Advise integrated national network of community pharmacies.
- Serve as antitrust counsel to vertically integrated medical device company on transactions and investigations by FTC and DOJ.
- Serve as lead antitrust counsel on outpatient clinic acquisition and divestiture.
- Advise on joint venture between automaker and car battery manufacturer.
- Represent buyer of assets pursuant to DOJ consent decree.

Professional Honors & Activities

- Member – American Bar Association, Antitrust and Business Law Sections
- Member – American Health Lawyers Association, Antitrust Section
- Named an "Outstanding Healthcare Antitrust Lawyer" by *Nightingale's Healthcare News* (2008)

Publications

- "New York Requests Public Comments Regarding PBM Patient-Steering " (July 2022)
- "HHS Issues Post-*Dobbs* HIPAA Privacy Guidance for Employer Health Plans, Other Covered Entities" (July 2022)
- "DOJ Cracks Down on Alleged Wage Fixing and No Poach Agreements," republished in *Westlaw* (February 2022)
- "Annual Update to HSR Pre-Merger Notification Filing Thresholds for 2022" (January 2022)
- "Employers Beware: Employee Non-Solicitation and Non-Recruitment Agreements Can Raise Potential Civil and Criminal Antitrust Liability" (August 2021)
- "All Hands on Deck: Executive Order Promoting Competition in the American Economy" (July 2021)
- "FTC's Chances of Fixing a Broken Repairs Market Look Slim," *Law360* (June 2021)



Speaking Engagements

- "Healthcare Antitrust Year in Review," ABA Antitrust in Healthcare Conference (June 2022)
- "Health Care is Local: State AGs add New Wrinkle to Antitrust Review of Health Care Transactions," AHLA Health Care Transactions Conference (April 2020)
- "CARES Act," Coalition of Franchisee Association (April 2020)
- Frequent speaker as part of the ALI/ABA Product Distribution CLE Program (2010 – 2015)



Webinars

- Your HR Department May Be a Ticking Antitrust Time Bomb (July 2022)
- Your HR Department May Be a Ticking Antitrust Time Bomb (June 2022)



Education

- University of Iowa College of Law, J.D., 1992, with distinction
 - Associate Editor, *Iowa Law Review*
- Creighton University, B.S.B.A. Accounting and Economics, 1989



Admissions

- Washington, D.C.
- U.S. Supreme Court
- U.S. Circuit Court, District of Columbia
- U.S. District Court, District of Columbia