



## **STEPHEN SCANNELL**

**Associate**

**St. Louis**

E: [stephen.scannell@bclplaw.com](mailto:stephen.scannell@bclplaw.com)

T: [+1 314 259 2516](tel:+13142592516)

### **BIOGRAPHY**

Stephen is a member of the firm's Antitrust & Competition practice. He has experience with a range of antitrust issues, including merger reviews, price fixing, market allocation, exclusive dealing, and monopolization.

Prior to joining the firm, Stephen served as a Deputy Attorney General in the Pennsylvania Office of Attorney General, Antitrust Section. There he investigated and litigated antitrust mergers and conduct cases across the pharmaceutical, agriculture, technology, and healthcare industries. His antitrust experience also includes an internship with the Healthcare and Consumer Products Section of the Department of Justice, Antitrust Division.

Stephen is experienced in many aspects of antitrust litigation in the federal courts, including drafting pleadings, expert and fact discovery, motion practice, settlement negotiations, and trial.

Specifically, He represented Pennsylvania in an action against Martin Shkreli and his company, Vyera Pharmaceuticals, alleging a scheme to block generic competition in violation of the Sherman Act and state law. Stephen was also involved in multidistrict litigation alleging an industrywide conspiracy to fix prices and allocate markets among generic drug manufacturers, where he conducted depositions and witness interviews, and briefed dispositive and discovery motions.

Stephen's work with state attorneys general, the Federal Trade Commission, and the Department of Justice provides him a unique perspective on joint investigations and litigation among antitrust enforcers. He leverages this experience to provide practical and strategic assistance to clients.

## **PROFESSIONAL AFFILIATIONS**

- American Bar Association, Section of Antitrust Law, 2019 - Present

## **ADMISSIONS**

- Missouri, 2022
- Pennsylvania, 2021
- Illinois, 2019
- U.S. District Court, Eastern District of Pennsylvania, 2021
- U.S. District Court, Northern District of Illinois, 2020

## **EDUCATION**

- Saint Louis University, J.D., 2019
- University of Illinois-Urbana, B.A., 2015

## **RELATED PRACTICE AREAS**

- Antitrust
- Investigations
- Litigation & Dispute Resolution
- Regulation, Compliance & Advisory

## EXPERIENCE

- *Federal Trade Comm'n et al v. Shkreli*, No. 20-CV-00706 (DLC) (S.D.N.Y) – Represented Pennsylvania in joint action against Martin Shkreli alleging violations of the Sherman Act (15 U.S.C §§ 1-2) and state law; resulted in finding Shkreli liable on all counts, awarding \$65 million in disgorgement, and banning him from the pharmaceutical industry for life following a bench trial in December 2021.
- *In re Generic Pharmaceuticals Pricing Antitrust Litigation*, MDL No. 2724 (E.D. Pa) – Represented Pennsylvania in actions brought by state attorneys general against dozens of generic pharmaceutical manufacturers alleging conspiracy to fix prices and allocate markets across hundreds of generic pharmaceutical products in violation of the Sherman Act and state law.
- *Federal Trade Comm'n et al v. Thomas Jefferson University et al*, 2-20-cv-01113 (E.D. Pa.) – Joint action seeking preliminary injunction against the merger of two Philadelphia health systems under the Clayton Act.

## RESOURCES

### PUBLICATIONS

- “Bridging the Gorge: States Prevent Retention of Ill-Gotten Gains Through Disgorgement” Competition Policy International, Antitrust Chronicle, August 2021
- “Medical Marijuana and the ADA: Following the Path Blazed by Courts to Extend Protection” St. Louis University Journal of Health Law and Policy, Spring 2019

### SPEAKING ENGAGEMENTS

- Panelist, “How to Ride a Unicorn: Lessons from Recent Antitrust Trials” National Association of Attorneys General Antitrust Seminar, September 2022
- Panelist, “Disgorgement as a Gap-Filler in State Antitrust Enforcement” National Association of Attorneys General Antitrust Seminar, October 2021

## RELATED INSIGHTS

Insights

Jan 23, 2024

**FTC announces 2024 thresholds under HSR Act**

Insights

Jan 16, 2024

## **Stay Above Board In 2024**

Insights

Oct 02, 2023

## **Government Shutdown's Impact on Antitrust Merger Review**

Insights

Jul 20, 2023

## **Back to the Future: Antitrust Agencies Announce New Draft Merger Guidelines**

Insights

Jun 29, 2023

## **U.S. antitrust agencies propose major changes to pre-merger review process**

Insights

Feb 16, 2023

## **A noisy exit by FTC Commissioner Wilson**

Blog Post

Jan 26, 2023

## **Stay above board: new thresholds applicable to Clayton Act prohibition on interlocking directorates**

Insights

Jan 26, 2023

## **Stay above board: new thresholds applicable to Clayton Act prohibition on interlocking directorates**

Insights

Jan 24, 2023

## **FTC announces 2023 thresholds under HSR Act and Clayton Act**