



Daniel S. Bitton

Partner | San Francisco

Practice Areas

Antitrust

Litigation & Trials

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Daniel Bitton heads Axinn’s West Coast antitrust practice and is a member of the Firm’s Executive Committee. With a strong foundation in both E.U. and U.S. law, Daniel guides clients through complex antitrust litigation, government investigations, and merger clearances across the globe. He is antitrust counsel to major Fortune 500 companies, including Google, McKesson, and Stanley Black & Decker.

Daniel co-leads a team of lawyers defending Google in multiple headline-making, landmark litigations and investigations involving its advertising technology business, including in Virginia, Texas, and New York federal courts. These cases have the potential to reshape the law on monopolization in digital markets not only in the U.S. but internationally, earning significant recognition, including the title of *Global Competition Review’s* “Behavioural Matter of the Year – Americas.”

His other notable achievements include leading the representation of McKesson and its subsidiaries in class action litigation, parallel Federal Trade Commission (FTC) investigations and litigation, and its joint ventures with HCA Healthcare and Change Healthcare, as well as securing FTC and Department of Justice (DOJ) clearance for numerous other acquisitions. Daniel currently co-leads the representation of McKesson in its \$2.49 billion acquisition of a controlling interest in Florida Cancer Specialists’ Core Ventures.

For Stanley Black & Decker, Daniel's impact is evident in key acquisitions, including the company's acquisition of a 20% stake in MTD Products Inc., its \$1.6 billion acquisition of the remaining 80% stake in MTD Holdings, and its \$375 million acquisition of Excel Industries.

Daniel is *Chambers*-ranked (Band 2, California) and included in *The Legal 500 United States* and on *Lawdragon's* "500 Leading Litigators in America" list. He has also been recognized by the *New York Law Journal*, *The Recorder*, and the *Daily Journal*.

Prior to joining Axinn, Daniel interned at the FTC and served as an advisor to the Independent Post and Telecommunications Authority and the Netherlands Competition Authority in The Hague, the Netherlands. There, he worked on cases involving bid rigging and monopolies and handled regulatory issues like interconnection rates, cable access, and local loop unbundling.

Professional Activities

- American Bar Association
- New York Bar Association
- California Lawyers Association – Antitrust Section

Experience

Litigation and Investigations

- Representing Google in antitrust cases about its advertising technology business brought by the United States Department of Justice, various State Attorneys General, and various class and direct action plaintiffs in Virginia, Texas, and New York federal courts.
- Represented McKesson subsidiary RelayHealth in federal antitrust class actions involving electronic prescribing and in the FTC's case against Surescripts.
- Represented Shintech Inc. and Shintech-Etsu Chemical Co., Ltd. in a federal antitrust class action.
- Represented Danfoss A/S, Danfoss Flensburg GmbH, and Danfoss LLC in a federal class action opt-out case alleging price-fixing of household refrigerant compressors.
- Represented Actavis in antitrust and patent litigation. Defeated motion to dismiss on novel monopolization claims.
- Represented The Affinia Group & Wix Filtration in a multi-district price-fixing class action.
- Represented Actavis in complex multi-product trade dress litigation, securing a favorable settlement shortly before trial.

- Representing and advising Google in government investigations of its advertising technology business in the U.S. and overseas, including by the U.S. DOJ, State AGs, EC, ACCC, and UK CMA.
- Represented McKesson's subsidiary RelayHealth in FTC investigation of Surescripts involving electronic prescribing.
- Advised Tomkins plc in European Court of Justice proceedings about parent liability for alleged price-fixing by a former subsidiary. The ECJ found in favor of Tomkins plc. (Nominated for the GCR "Behavioural Matter of the Year – Europe" award).

Mergers & Acquisitions (M&A)

- Representing McKesson in its \$2.49 billion acquisition of a controlling interest in Florida Cancer Specialists' Core Ventures.
- Represented McKesson's U.S. Oncology Research in its oncology research joint venture with HCA's Sarah Cannon Research Institute.
- Represented McKesson in leading efforts to secure clearance for its \$3.4 billion healthcare technology joint venture with Change Healthcare, which involved a six-month Second Request investigation.
- Represented McKesson in its \$1.4 billion acquisition of CoverMyMeds.
- Represented McKesson in its \$800 million acquisition of Medical Specialties Distributors (MSD).
- Represented McKesson in its \$875 million acquisition of Rx Savings Solutions.
- Represented McKesson in its \$735 million acquisition of RxCrossroads from CVS.
- Represented McKesson in its acquisitions of Labsco and Biologics.
- Represented McKesson in the sale of its Enterprise Information Solutions business to Allscripts.
- Represented Stanley Black & Decker in its acquisition of a 20% stake in MTD Products.
- Represented Stanley Black & Decker in its \$1.6 billion acquisition of the remaining 80% stake in MTD Holdings.
- Represented Stanley Black & Decker in its \$375 million acquisition of Excel Industries.
- Represented Johnson Controls in the \$2 billion sale of its Scott Safety business to 3M.
- Represented Dell Inc. in its \$67 billion acquisition of EMC Corporation.
- Represented H.I.G. Capital and recycled paperboard manufacturer Caraustar Industries, Inc. before the DOJ in a six-month investigation of their \$362.5 million acquisition of The Newark Group.

- Represented Thermo Fisher Scientific before the FTC in its \$13.6 billion acquisition of Life Technologies (nominated for the GCR “Matter of the Year” award).
- Represented Google in the \$2.35 billion sale of its Motorola Home division to ARRIS.
- Represented Google before the DOJ in its \$700 million acquisition of ITA Software (winner of the GCR “Merger Control Matter of the Year – Americas” award).
- Represented Take-Two before the FTC in connection with Electronic Arts’ \$2 billion hostile tender offer for Take-Two.
- Represented Omnicare in its \$700 million hostile takeover bid for PharMerica.

Honors

- *Chambers USA*, California: Antitrust (2019, 2022 - 2024)
- *Chambers USA*, New York: Antitrust (2018)
- *The Legal 500 United States* (2022 – 2023)
- *Lawdragon*, “500 Leading Litigators in America” (2023 – 2025)
- *Who’s Who Legal*, Thought Leaders – Competition (2024)
- *Who’s Who Legal*: Competition (2019 – 2024)
- *Who’s Who Legal*, Competition Future Leaders (2017, 2018)
- The Recorder, “California Trailblazers” (2020)
- *Daily Journal*, “Top Antitrust Lawyers” (2022)
- *New York Law Journal*, “Rising Star” (2015)
- *Super Lawyers*, “New York Metro Rising Star” (2014, 2015)
- Axinn nominated for the 2014 Global Competition Review “Matter of the Year” award
- Axinn nominated for the 2013 *Global Competition Review* “Matter of the Year – Europe” award
- Axinn winner of 2012 Global Competition Review “Merger Control Matter of the Year – Americas” award

Education

- LLM – New York University School of Law (2004); Stibbe full scholarship and Noorthey scholarship

- University of California Berkeley School of Law, Visiting Student (2000)
- MA, Netherlands Law – Free University (2001)

Admissions

- California
- New York
- U.S. District Court Northern District of California
- U.S. District Court Eastern District of New York
- U.S. District Court Southern District of New York
- U.S. District Court Western District of New York
- U.S. District Court Eastern District of Michigan
- U.S. Supreme Court

Quotes

“A trusted adviser and go-to for a range of antitrust matters from counseling to M&A and litigation.”

— *Chambers USA*

“Daniel is extremely attentive to his clients and understands very complex products and markets.”

— *Chambers USA*

“Our company’s executives appreciated Daniel’s practical, but knowledgeable advice.”

— *Chambers USA*

“Daniel Bitton is a ‘very hard-working’ lawyer who is endorsed for his ‘excellent analytical ability, strong client skills and excellent commercial awareness.’”

— *Who’s Who Legal*

“Daniel Bitton impresses with his ‘practical approach and in-depth knowledge’ of competition law.”

— *Who’s Who Legal Future Leaders*

“His handling of the multi-jurisdictional antitrust filings in Dell-EMC was the most efficient that I have seen.”

— *Who's Who Legal Future Leaders*

“Smart and ambitious,” and “incredibly energetic.”

— *Chambers USA*

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