

April 14, 2009

The Firm's Statement of Support

Today, the Federal Trade Commission announced the appointment of Boies, Schiller & Flexner Partner, Richard Feinstein, to lead the Federal Trade Commission's Bureau of Competition. As Director of the Bureau of Competition, Feinstein will support the Federal Trade Commission (FTC) and its Chairman, Jon Leibowitz, in managing the FTC's merger and non-merger enforcement divisions and developing antitrust enforcement policy. Feinstein will supervise a staff of several hundred attorneys and professionals.

Feinstein joined BS&F in November 2001 as a partner resident in the firm's Washington DC office. He brought extensive antitrust litigation and counseling experience spanning a variety of industries and is viewed as a leader in the firm's highly successful antitrust practice. Highlights of his work and contributions include representing American Express in its antitrust action against Visa, MasterCard and several banks which resulted in a historic recovery exceeding \$4 billion. Previously, he served as lead counsel in *FTC v. Mylan Laboratories*, in which the Commission obtained disgorgement of \$100 million.

Don Flexner, a Managing Partner of BS&F said, "The firm feels fortunate to have had the benefit of Rich Feinstein's friendship, leadership and legal talents for the past 8 years. We will miss Rich as a partner, but are excited about the opportunity he has been given to serve the country at a critical time in its history." Flexner added, "We wish Rich the best and admire him for his integrity and legal expertise."

Feinstein has practiced antitrust law in Washington since 1977 in both the government and the private sector: as an Assistant Director of the Bureau of Competition, a partner at McKenna & Cuneo LLP, and seven years in the Antitrust Division of the Department of Justice.

Feinstein's start date at the FTC is expected to be Monday, May 11th, and his last day with the firm Friday, May 8th.

Those wanting to view the FTC's press release announcing the appointment may visit <http://www.ftc.gov/opa/2009/04/seniorstaff.shtm>.