

Matthew M. Martino

Skadden

Partner, New York

Antitrust/Competition; Sports; Litigation



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Education

J.D., Yale Law School, 2002

B.A., University of Pennsylvania, 1998
(*summa cum laude*, Phi Beta Kappa)

Bar Admissions

New York

U.S. Courts of Appeals for the Second,
Fifth and Eighth Circuits

U.S. District Courts for the Southern
and Eastern Districts of New York

Associations

Fellow, American Bar Foundation

Matthew M. Martino represents a wide variety of clients in antitrust litigation, investigation and advisory matters, as well as those pertaining to all aspects of sports law.

In the antitrust area, Mr. Martino has handled litigations—including class actions and appeals—involving alleged price-fixing, group boycotts, monopolization, other restraints of trade and merger challenges. Mr. Martino also provides general antitrust counseling, advising clients on compliance with state and federal antitrust laws, including issues relating to joint ventures, competitor collaborations, distribution arrangements and unilateral conduct. He also represents clients in government investigations.

His antitrust representations include:

- International Flavors & Fragrances in direct and indirect purchaser class actions alleging a conspiracy to restrain competition in the fragrance industry
- Mowi ASA in direct and indirect purchaser class actions alleging price-fixing in the salmon industry
- Flannery Associates LLC, the developer of a new proposed city in Solano County, California, in a lawsuit alleging that landowners unlawfully conspired to raise prices
- Activision, a video game publisher, in its successful defense against the FTC's challenge to its acquisition by Microsoft
- Sabre Corporation, a travel technology provider, in its successful defense against the DOJ's challenge to its proposed acquisition of Farelogix Inc.
- Express Scripts and its affiliates in a number of litigations in federal and state court alleging violations of Sections 1 and 2 of the Sherman Act, the RICO statute, and state antitrust and consumer protection laws, as well as in investigations by state attorneys general
- CEMEX in direct and indirect purchaser class actions alleging price-fixing, as well as market and customer allocations
- HarperCollins Publishers in the ebooks price-fixing class action litigation
- Pfizer Inc in a class action alleging monopolization with respect to the drug Neurontin
- Ainsworth Lumber Company in an antitrust class action alleging price-fixing in the oriented strand board industry
- IASIS Healthcare in an antitrust action challenging a series of exclusive contracts

In the sports area, Mr. Martino has extensive experience representing professional sports leagues and teams in a variety of litigation and sports law matters.

His sports representations include:

- the PGA TOUR in litigation brought by LIV Golf and several players alleging violations of antitrust law
- the National Hockey League (NHL) in:
 - lawsuits brought by retired NHL players claiming injuries as a result of concussions and sub-concussive impacts purportedly sustained during their NHL playing careers
 - a consumer class action antitrust litigation challenging the NHL's broadcasting rules and practices

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- antitrust litigation brought by Madison Square Garden challenging a variety of NHL rules and practices
 - its defense against an attempt by the owners of the Phoenix Coyotes to relocate the team, through bankruptcy, over the NHL's objection
 - the Ladies Professional Golf Association in a dispute involving an international sponsorship and broadcast rights agreement
 - the National Football League (NFL) in a federal putative class action alleging tort, contract and RICO claims in connection with the New England Patriots' alleged videotaping of New York Jets coaches and players during a game at Giants Stadium
 - the NHL and the National Basketball Association (NBA), and their member teams, in:
 - labor disputes and lockouts
 - player and team arbitrations
 - the NHL, the NBA and the NFL, and their member teams, in:
 - advice and litigation involving relocation, intellectual property rights, contractual issues and other legal matters
 - counseling with respect to a variety of business practices and agreements, including licensing sponsorship, merchandising, events, new media, telecast rights and season ticket holder agreements

In recognition of his work, Mr. Martino has been named one of Lawdragon's 500 Leading Global Antitrust & Competition Lawyers, as well as a Sports Law Power Player by *Sports Business Journal* and a Future Star by *Benchmark Litigation*. He is a member of Skadden's Diversity, Equity & Inclusion Committee and previously served as hiring partner for the firm's New York office.