



→ Ann M. O'Brien

Partner

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Ann O'Brien is a partner and Co-Leader of the firm's Antitrust and Competition Practice Group. She also leads the firm's Criminal Antitrust and Cartels Team. Ann is based in the firm's Washington, D.C. office.

"Ann O'Brien is a leading antitrust practitioner in the areas of criminal and parallel proceedings. Her experience of almost 20 years at the DOJ provides valuable insight and is of great assistance from a strategic standpoint. Ann is always on top of the matter and is proactive in her approach."

- Antitrust client, Chambers USA 2024

Areas of Practice

Ann's practice focuses on advising clients facing criminal and civil government antitrust investigations or litigation. Ann leverages her two decades of U.S. Department of Justice experience to provide valuable insider insight on antitrust agency priorities, goals, and policies to strategically guide companies and individuals facing international, domestic and multi-agency antitrust and competition exposure. She has substantial experience leading every aspect of domestic and international antitrust and white collar investigations and prosecutions, including litigating federal criminal jury trials. Additionally, Ann provides clients with cutting-edge compliance counseling and training that can help deter or quickly detect antitrust exposure, informed by what is most important to the DOJ, FTC, and the courts.

Ann has extensive knowledge of antitrust enforcement practices and policy decisions, gained from her time as a federal prosecutor and manager at the U.S. Department of Justice in the Antitrust Division and as a Special Assistant United States Attorney in the District of Maryland. During her nearly 20-year tenure, Ann assumed numerous senior leadership and management positions in the Antitrust Division, notably as the Assistant Chief of two sections and as the Acting Director of Criminal Enforcement. She was involved in virtually every major criminal enforcement and policy decision made by the Antitrust Division for nearly two decades, and reviewed and approved hundreds of case recommendations, leniency recommendations, search warrants, and requests for grand jury or preliminary inquiry authority. Notably, she gained comprehensive knowledge of global antitrust leniency self-reporting programs and antitrust corporate compliance while developing strong relationships with domestic and foreign antitrust enforcers and regulators. Additionally, Ann served as the Antitrust Division representative on the Financial Fraud Enforcement Task Force, as well as a member of the Grant Fraud Working Group and Oil and Gas Price Fraud Working Group. Ann also has extensive experience advising clients on price-gouging issues and representative client's facing state price-gouging investigations.

Ann and the Sheppard Mullin cartels team have extensive experience representing corporate and individual clients in recent, novel civil and criminal antitrust no-poach and criminal monopolization investigations and litigation. Ann is also part of Sheppard Mullin's AI team, providing clients with guidance and representing clients

in FTC and DOJ antitrust and consumer protection investigations and litigation involving the use of AI.

Having established herself as a thought leader in the antitrust community, Ann regularly speaks and writes on a broad-range of antitrust topics, including serving as co-editor of *Competition Policy International's* Cartel column and editing the ABA's *Antitrust Cartel Leniency and Sentencing Handbook*. She has also trained hundreds of antitrust prosecutors and law enforcement agents, and served as a liaison to other DOJ components and government agencies. Utilizing her in-depth understanding of antitrust policy and prosecution, Ann skillfully guides clients through their unique antitrust and white collar matters.

Honors

Litigation Star, Competition/Antitrust, *Benchmark Litigation*, 2026

Leading Global Antitrust and Competition Lawyer, *Lawdragon*, 2026

Leading Lawyer, Antitrust and Antitrust: Cartels, *Chambers USA*, 2025

Global Competition Review's "Women in Antitrust 2025" list, which recognizes women around the world for their accomplishments in the antitrust field

Top Author, *JD Supra* Readers' Choice Awards, 2024

Global Competition Review's "Women in Antitrust 2021" list, which recognizes 138 women around the world for their accomplishments in the antitrust field

Recommended in Litigation: Civil litigation/class actions, *The Legal 500 United States*, 2021, 2023-2024

U.S. Department of Justice, Antitrust Division

- Assistant Attorney General Award, 2006, 2015
- Special Achievement Award, 2009

Counsel of the Inspectors General on Integrity and Efficiency: Award for Excellence, 2013

U.S. General Services Administration OIG: Special Recognition Award, 2012

Experience

Criminal Antitrust Investigations

- Representing global engineering and technology solutions company Cyient in criminal antitrust investigation alleging novel "no-poach" agreements between an aerospace provider and its outsource engineering services providers to restrict the hiring and recruiting of engineers and skilled laborers working on aerospace projects. The U.S. Department of Justice's third criminal no-poach trial against six aerospace industry executives and managers, including a Cyient executive, for their alleged participation in the conspiracy resulted in an unprecedented judicial acquittal in April 2023. The criminal investigation closed without additional corporate or individual charges.
- Representing a health system in a non-public criminal antitrust investigation, successfully navigating client through novel unilateral criminal monopolization investigation.
- Representing a non-profit institute and public university in a non-public criminal antitrust bid-rigging investigation conducted by the Antitrust Division led-Procurement Collusion Strike Force.

- Represented a corporate subject of one of the first criminal no-poach and wage-fixing prosecutions.
- Representing an individual healthcare executive in an Antitrust Division criminal price-fixing and obstruction investigation, resulting in no charges for client.
- Representing a Fortune 100 multinational communications and technology company in a non-public criminal antitrust investigation of an alleged hub-and-spoke price-fixing cartel, resulting in no charges for client or its executives.
- Representing Fortune 500 energy company through Antitrust Division Leniency Policy marker process in matter presenting complex legal and factual issues.
- Representing individual petroleum company executive in non-public criminal antitrust investigation market-allocation, resulting in no charges for client.
- Representing an individual digital advertising executive in an Antitrust Division criminal no-poach investigation, resulting in no charges for client.

FCPA

- Worked on a parallel DOJ Criminal and Antitrust Division and FCPA and antitrust investigation reaching a first-of-its-kind corporate resolution binding both the Antitrust and Criminal Division and resulting in \$579 million in criminal fines and disgorgement – the second-largest FCPA fine paid by a U.S. company at that time.

Litigation

- Defending Realty One Group, Inc. against antitrust claims relating to alleged conspiracy to fix buyer broker commissions on residential real estate transactions.
- Defending Essex Property Trust (NYSE: ESS) against antitrust claims relating to alleged conspiracy to fix rental rates for multifamily apartment units using industry software and algorithm provided by RealPage. In re RealPage, Inc. Rental Software Antitrust Litigation (No. II), Case No. 23-3071 (M.D. Tenn.)
- Defending Cyient, Inc. against antitrust claims brought by a putative class of aerospace engineers alleging a “no-poach” conspiracy between employers not to hire from each other. *Borozny et al. v. Raytheon Technologies Corporation, Pratt & Whitney Division, et al.*, Case No 3:21-cv-01657 (D. Conn.).
- Defending Hartford HealthCare Corporation against monopolization claims brought by competitor Saint Francis Hospital and Medical Center in federal court, and also against related class action brought by a putative class of individuals enrolled in commercial health plans. *Saint Francis Hospital and Medical Center, Inc. v. Hartford Healthcare Corporation*, Case No. 3:22-cv-00050-AVC (D. Conn.) and *John Brown et al. v. Hartford HealthCare Corp.*, Case No. HHD-CV22-6152239-S (Superior Court of the Judicial District of Hartford).
- Representing a fitness platform third-party in *FTC v. Meta*, DOJ Apple investigation and *In re Google Play Antitrust Litigation* civil antitrust lawsuits.
- Representing corporate advertiser third-party subpoena recipient in *S. v. Google* and *State of Colorado et al. v. Google* civil antitrust lawsuits.
- Representing an advertising platform third-party CID recipient in Texas attorney general antitrust investigation of Google.

Civil Competition and Consumer Protection Investigations

- Representing a professional sports team as a third-party in the Ticketmast/LiveNation antitrust decree violation investigation.
- Representing a beverage retailer in FTC Robinson-Patman Act investigation regarding discriminatory practices or engaged in other unfair methods of competition in violation of Section 5 of the FTC Act.
- Representing an AI-powered app developer and platform in FTC consumer protection investigation of novel AI as a means or instrumentality to write fake reviews in violation of Section 5 of the FTC Act.
- Worked on international extraditions involving antitrust defendants and foreign assistance requests pursuant Mutual Legal Assistance Treaties (MLAT) and International Antitrust Enforcement Assistance Act (IAEAA).
- Providing antitrust compliance advice and training for multiple global companies.

Articles

- New DOJ Antitrust Postal Whistleblower Rewards Program: A Look Under the Shiny Hood
Competition Policy International, 07.21.2025
- The US DoJ Announces a New Rewards Program to Incentivize Whistleblowers to Come Forward
Concurrences, 07.18.2025
- The US DOJ Announces An Anticompetitive Regulations Task Force to Promote Free Market Competition
Concurrences, 03.27.2025
- Chipping Away at Per Se: Is Brewbaker a Harbinger or Aberration?
ABA Antitrust Law Section Committee Articles, 06.06.2024
- Ensuring Cooperation Doesn't Cross the Antitrust Line
Food Manufacturing, 03.05.2024
- DOJ Announces Mergers & Acquisitions Safe Harbor Policy
Concurrences, 10.04.2023
- The US FTC issues a Civil Investigation Demand to an artificial intelligence company following an investigation into the use of AI technology and its potential to promote unfair methods of competition (OpenAI Chat GPT)
Concurrences, 09.01.2023
- 4 Areas Of Heightened Antitrust Risk In Private Equity
Law360, 05.18.2023
- Labor Collusion Loss Will Shape DOJ's Case Strategy
Law360, 05.09.2023
- The Newest Wave of Antitrust "Crimes": Revival of Criminal Monopolization
Competition Policy International, 02.2023

"Prepare For NLRB Collaboration With Antitrust Agencies," *Law360*, August 2022

"Not Guilty: Juries Acquit in First Criminal Antitrust No-Poaching and Wage-Fixing Trials," *Today's General Counsel*, May 2022

"Antitrust Division Wins First Round in No-Poach Case, but There Is Lots More to Watch," *American Health Law Association*, April 2022

AI Law and Policy Blog Posts

- "AI Enforcement Update: FTC Authorizes Compulsory Process for AI Investigations," December 8, 2023

Antitrust Law Blog Posts

- "What to Expect When the Government Reopens: Key Considerations for Businesses," November 11, 2025
- "California Passes Broad Limits on 'Common Pricing Algorithms'," October 14, 2025
- "New DOJ Antitrust Postal Whistleblower Rewards Program: A Look Under the Shiny Hood," July 10, 2025
- "Red Tape Rollback: DOJ's Anticompetitive Regulations Task Force," April 24, 2025
- "DOJ and FTC Issue Antitrust Guidelines for Business Activities Affecting Workers," February 11, 2025
- "Antitrust During Trump 2.0: It's Complicated," December 5, 2024
- "Key Takeaways from the DOJ Antitrust Division's Updated Compliance Guidance: It's Not Just Criminal Anymore," November 15, 2024
- "Campaign Promises to Address Rising Prices at the Grocery Store Signal Stronger Price Gouging Investigations, Enforcement Actions, and Prohibitions to Come," November 1, 2024
- "U.S. Federal Antitrust Agencies Announce Cooperation Initiative with Labor Agencies in Merger Review," August 29, 2024
- "Final Word on Final Rule? Texas District Court Eviscerates FTC's Non-Compete Ban," August 21, 2024
- "Not So 'Final'? Texas Federal Court Enjoins Enforcement of FTC's Noncompete Ban, Leaving Future of Commission's Rule in Doubt," July 8, 2024
- "New DOJ Health Care Task Force Portends Continued Aggressive Antitrust Enforcement," May 23, 2024
- "FTC Votes to Ban Noncompete Agreements," April 24, 2024
- "Aggressive Procurement Collusion Enforcement Risk Remains High for 2024," February 12, 2024
- "DOJ Announces Mergers & Acquisitions Safe Harbor Policy," October 11, 2023
- "FTC Sues Private Equity Firm and Anesthesiology Practice for Antitrust Violations," September 26, 2023
- "AI Under the Antitrust Microscope: Competition Enforcers Focusing on Generative AI from All Angles," August 9, 2023
- "Government Contracting Companies Beware: DOJ's Procurement Collusion Strike Force is Global, Growing, and Going Strong," June 22, 2023
- "Hot Antitrust Enforcement Climate Reaches Private Equity," May 11, 2023
- "DOJ Antitrust Division Cautions SEC on Proposed Equity Market Restructuring," May 5, 2023
- "No More Games: Activision Settles with DOJ Over Esports Compensation," April 5, 2023
- "DOJ Loses Third Consecutive Antitrust Labor Trial," March 24, 2023

Books

Sheppard Mullin Antitrust Team Contributes to the First Edition of the ABA's Antitrust Cartel Leniency and Sentencing Handbook
03.21.2023

Media Mentions

DOJ Offers to Pay Whistleblowers for Successful Antitrust Claims
Federal News Network, 07.31.2025

Whistleblower Rewards will Bolster Leniency Regime, Lawyers Say
GCR USA, 07.14.2025

DOJ, FTC Push Agencies to Identify, Rescind Anticompetitive Regulations
The National Law Journal, 05.06.2025

Loss of Collaboration Guidelines Irks Practitioners
Global Competition Review, 12.16.2024

DOJ Ups Compliance Standards for Whistleblowers
GCR, 11.15.2024

DOJ Ramps Up Unique Tool in Antitrust Suits to Shape Case Law
Bloomberg Law, 05.13.2024

Aerospace Company Settles No-Poach Suit for \$7.4 Millions'
Bloomberg Law News, 01.25.2024

Group of Engineering Firms to Settle 'No Poach' Antitrust Claims
Reuters, 01.25.2024

Aerospace Contractor Inks \$7.4M Deal In Conn. No-Poach Suit
Law360, 01.24.2024

Comment: No Poach, Wage-Fixing Prosecutions to Continue as US DOJ Regroups, Reviews Adverse Jury Verdicts
mLex, 12.29.2023

Antitrust Hiring Slows After Spree, But Demand Stays Steady
Law360, 05.12.2023

DOJ Defends Constitutionality of Criminal Sherman Act Prosecutions
Global Competition Review, 05.09.2023

No Harm Means No Agreement, Acquitted No-Poach Defendants Say
Global Competition Review, 03.24.2023

Speaking Engagements

"Understanding the Legal Landscape: Antitrust Considerations," 2024 WHLC Women in Healthcare Leadership Summit, October 24, 2024

"Law Firm Leadership Panel and Networking Reception," Georgetown Antitrust & Competition Law Association, February 28, 2024

Events

2025 Antitrust Spring Meeting
The New Dawn of Dawn Raids
Marriott Marquis Hotel, Washington, DC, 04.03.2025

40th White Collar Crime Institute
"Recent Trends in Criminal Antitrust Enforcement" and "Significant Legal Developments in the Northeast Region"
Hyatt Regency Miami, March 4-7, 2025

Competition Crosshairs on the Food and Beverage Industry: DOJ and FTC Priorities in a Changing Administration
Webinar, 11.06.2024

2024 Antitrust Masters Course
Cartel Investigations
Sofitel Philadelphia at Rittenhouse Square, 09.26.2024

Fashion 2024: Facing Challenges and Conundrums of Competition and Change
09.24.2024

Coopetition: Navigating the Antitrust Lines Between Collaboration and Collusion When Communicating and Cooperating with Competitors
Zoom Webinar, 05.16.2024

GCR Live: Cartels 2024
Cartel Cases Involving Competition for Talent: No Poach & Wage Fixing Trials, Tribulations and More
WilmerHale, Washington, D.C., 05.15.2024

The FTC's Rule Banning Noncompetes is Final: What Do We Do Now?
Webinar, 05.07.2024

HNBA Corporate Counsel Conference
Antitrust Hot Topics & Current Developments
Sheraton Grand Seattle, Seattle, WA, 03.22.2024

Contracting with the Government? Beware of the Department of Justice's Heightened Focus on Procurement Collusion, Antitrust & Fraud
Webinar, 01.31.2024

17th AAI Annual Private Antitrust Enforcement Conference
A New Era of Cartelization? Algorithmic Antitrust and the Role of Artificial Intelligence
11.02.2023

GCR Live: Cartels
WilmerHale, Washington DC, 06.07.2023

Beware: Private Equity Firms Facing Heightened False Claims Act and Antitrust Risks
Webinar, 04.26.2023

Memberships

- ABA Antitrust Section, Vice Chair of the Cartel and Criminal Practice Committee, 2025 to 2026
- Vice Chair, Women's White Collar Defense Association Global Programs Committee
- ABA Antitrust Section, International Cartel Task Force, 2024 to 2025
- CYO Youth Basketball Coach (2018)
- Justice Department Child Development Center, Just Us Kids
 - Vice President (2016 to 2017)
 - Board Member (2015 to 2016)
- Shrine of the Most Blessed Sacrament Parish and School
 - Giving Tree Holiday Gift Giving Program: Coordinator (2014 to 2016)
 - School Advisory Board, Strategic Planning Extracurricular Committee: Member (2015 to 2018)

Podcasts & Webinars

Nota Bene Episode 173: India's Economic Rise: Antitrust, AI, and International Trade with Navroze Palekar of Cyient and Ann O'Brien of Sheppard Mullin
01.28.2025

Competition Crosshairs on the Food and Beverage Industry: DOJ and FTC Priorities in a Changing Administration
11.06.2024

WHLC Summit - Understanding the Legal Landscape Panel
10.24.2024

Nota Bene Episode 171: Hot Topics in International Antitrust and Cartels
08.14.2024

Cooperation: Navigating the Antitrust Lines Between Collaboration and Collusion When Communicating and Cooperating with Competitors
05.16.2024

The FTC's Rule Banning Noncompetes is Final: What Do We Do Now?

05.07.2024

Contracting with the Government? Beware of the Department of Justice's Heightened Focus on Procurement Collusion, Antitrust & Fraud

01.31.2024

Beware: Private Equity Firms Facing Heightened False Claims Act and Antitrust Risks

04.26.2023

Client Testimonials

"Ann O'Brien was instrumental in bringing up the legal strategy for the case. She has great client relationship skills. She is empathetic and intuitive. She is a very effective collaborator. Ann previously worked at the DOJ. ...She is extremely impressive. She knows the ins and outs of the DOJ, both as lead prosecutor and from various management positions she held. She has a wealth of experience and tremendous credibility not just with the DOJ, but also with those outside of the US. She has really translated it into practice with sound advice. She is good at anticipating the DOJ's moves. She has very good relationships with the DOJ. She is viewed as a fighter; she is able to vigorously represent clients." – Antitrust client, *Chambers USA*, 2024

"Ann O'Brien is incredibly smart, considerate and supportive, keeping me informed and answering my questions. She understood that being from another country, I needed more explanations than people familiar with the US justice system." – Antitrust client, *Legal 500 US*, 2024

"Ann O'Brien did a fantastic job." – Antitrust client, *Legal 500 US*, 2024

"Sheppard Mullin's cartel defense practice has defended multinationals in some of the largest U.S. civil antitrust cartel proceedings in the nation's litigation history. With the addition earlier this year of former DOJ Antitrust Division's Ann O'Brien, D.C. attorneys have a laser focus on the criminal component of U.S. antitrust law." – Antitrust client, *Legal 500 US*, 2024

"[Sheppard Mullin's] ability to handle complex and sophisticated [antitrust] matters is very strong...The addition of Ann O'Brien to the Sheppard Mullin team has given Sheppard Mullin the ability to handle complex [matters]. Their service levels and responsiveness are very strong. Ann O'Brien is always on top of the matter and is proactive in her approach. Their ability to deliver to budget and provide overall value for money is very strong." – Antitrust client, *Chambers USA*, 2024

"Ann O'Brien's client service and general level of service, level of sophistication and commercial vision are all very strong. I loved working with Ann. I trusted her and felt she had my best interests at heart at all times. She was sensitive to my concerns and personal situation, and was caring and professional throughout. I am lucky to have had her as my lawyer." – Antitrust client, *Chambers USA*, 2024

"Ann O'Brien is an expert in criminal antitrust matters. That is her real specialty. She spent many years in the DOJ and she can really flex the hardest in investigations work. Aside from the DOJ expert investigations process, she is not afraid to fight. I think because of that and her confidence in her knowledge of DOJ investigations, practice and laws, she was able to really fight and defend." – Antitrust client, *Chambers USA*, 2024

“Ann O’Brien’s client service and general level of service, level of sophistication and commercial vision are all very strong. Ann is a leading antitrust practitioner in the areas of criminal and parallel proceedings. Her experience of almost 20 years at the DOJ provides valuable insight and is of great assistance from a strategic standpoint. The addition of Ann O’Brien to the Sheppard Mullin team has given Sheppard Mullin the ability to handle complex [specific matters]. This adds to the prior expertise in [specific area] matters. Ann O’Brien is always on top of the matter and is proactive in her approach.” – Antitrust client, *Chambers USA*, 2024

**Nothing on this site predicts or guarantees future results.*

Practices

- Antitrust and Competition
- Antitrust Counseling and Compliance
- Consumer Protection
- Criminal Antitrust and Cartel Investigations
- Government Merger and Civil Conduct Investigations
- Governmental
- Latin America
- Private Civil Antitrust Litigation
- White Collar Defense and Investigations

Industries

- Artificial Intelligence
- Education

Education

- J.D., Northeastern University School of Law, 1999
- B.A., Government and International Studies, University of Notre Dame, 1996

Admissions

- U.S. Supreme Court
- U.S. Court of Appeals, Fourth Circuit
- U.S. District Court, District of Connecticut
- U.S. District Court, District of Columbia
- U.S. District Court, District of Maryland
- Maryland
- District of Columbia