

Gates leaves MoFo to go solo

Heather Stone
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Sean Gates has left the Los Angeles office of Morrison & Foerster, where he chaired the California antitrust practice, to launch his own firm.

“I am starting out as a solo at Charis Lex, looking to expand in the next year or so. At 48, and after 20 years with some of the best firms in the country, as well as a stint as a government enforcer, I am looking forward to building a first-rate litigation and antitrust boutique,” he said.

During his more than eight years at Morrison & Foerster, Gates focused on antitrust, unfair competition, patent and trade secret matters with a special expertise in issues involving a crossover of antitrust and intellectual property law.

In recent years, he defended the United Parcel Service against allegations that it attempted to monopolise the parcel delivery business, by conspiring with FedEx to freeze out a shipping consultancy by breaking antitrust rules regarding the treatment of third-party shipping consultants. Gates also advised Alltel in the telecom’s \$28 billion merger with Verizon Wireless, and was counsel to a group of economists who filed an amicus brief criticising Judge Lucy Koh’s refusal to accept the initial settlement in the High-Tech Employees antitrust litigation.

Prior to joining Morrison & Foerster’s partnership in 2008, Gates served in the US Federal Trade Commission’s bureau of competition. Beginning as a staff attorney in the anticompetitive practices division, where he worked on matters such as allegations that Union Oil engaged in patent concealment and regulatory fraud, he was promoted to deputy assistant director in 2006.

His contributions at the FTC included assisting with a policy report on anticompetitive practices in the real estate brokerage industry and arguing the enforcer’s side in RealComp II.

Before his stint at the commission, Gates was an associate at Munger Tolles & Olson, during which time he defended Rambus against the FTC’s accusation that the technology company had engaged in a pattern of anticom-

petitive acts that deceived and evaded an industry-wide standard-setting organisation. He also represented Universal Studios in the Department of Justice's MovieLink investigation.

Gates brings to the firm a panoply of awards, including California Lawyer's 2011 "Attorney of the Year", and also is active in the American Bar Association's section of antitrust law.

He said he looks forward to widening both his client base and types of cases he can take on.

"Founding Charis Lex will allow me to represent a wider range of clients, free of conflicts issues that limit the issues I can address," he said. "Founding Charis Lex will also allow me to expand my trial practice while continuing to serve clients in the antitrust arena. I am convinced that a trial-focused practice makes for better antitrust advice and representation."

Ready to leave big firms behind, Gates said that "Morrison & Foerster is an excellent firm, and they have a great antitrust practice. But the large firm model has a number of limitations and disadvantages. That's why we've seen a number of first-rate competition practitioners go out on their own."

Following suit, Charis Lex was opened in June 2016. The firm's name, with the respective Greek and Latin meaning "grace" and "law," serves as "a reminder to live, and practice law, coram Deo – before the face of God," says Gates's website.

Morrison & Foerster did not respond to requests for comment before press time.