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PRACTICE AREAS

- Antitrust and Unfair Competition
- Class Actions
- Corporate Plaintiff Affirmative Recovery
- Financial Services Litigation
- Indirect and Direct Purchaser Class Actions
- International Competition

BAR AND COURT ADMISSIONS

- State Court: California
- U.S. District Court: Northern District of California
- U.S. Court of Appeals: Ninth Circuit

EDUCATION

- University of Washington School of Law, J.D., 2009; Editor-in-Chief, *Shidler Journal of Law, Commerce & Technology*
- Middlebury College, B.A., *cum laude*, 2003

Heather is Co-Managing Partner of Zelle's Oakland office and her practice is devoted to complex civil litigation, with a focus on recovery for class plaintiffs and corporate clients who are victims of antitrust and unfair competition violations. Heather has played a vital role in some of the nation's largest antitrust cases, from pre-complaint investigation through litigation and resolution, and is particularly adept at addressing challenging discovery, damages, and pass-on issues. She has also briefed and argued complex issues at the appellate level. Heather brings a steadfast commitment to achieving the best result for each client, and attention to the details vital to successful resolutions of high stakes matters.

Heather is active in bar association leadership at both the national and local level, including with the ABA Antitrust Section.

REPRESENTATIVE MATTERS

Represents United HealthCare Services, Inc. in an individual antitrust matter against the manufacturers of the branded pharmaceutical drug Xyrem, and its generic equivalents, alleging they entered into unlawful pay-for-delay and market share-allocation agreements to maintain artificially inflated supracompetitive prices of Xyrem for several years. (*United HealthCare Services, Inc. v. Jazz Pharmaceuticals plc, et al.*, No. 5:21-cv-02710-RS (N.D. Cal.))

Represents United HealthCare Services, Inc. in three individual antitrust matters against the makers of more than 200 generic pharmaceutical drugs, alleging a widespread price-fixing and market allocation conspiracy; this matter has been consolidated with *In re: Generic Pharmaceuticals Pricing Antitrust Litigation*, MDL No. 2724. (*United HealthCare Services, Inc. v. Actavis Holdco U.S., Inc., et al.*, No. 2:19-cv-00629-CMR (E.D. Pa.))

Represents Freddie Mac and the Federal Deposit Insurance Corporation as Receiver for 38 Closed Banks in an individual antitrust matter, alleging some of the world's largest banks and affiliated entities conspired to manipulate the U.S. dollar LIBOR, a benchmark rate widely used in financial instruments. (*In re LIBOR-Based Financial Instruments Antitrust Litig.*, No. 11-md-2262-NRB (S.D.N.Y.))

Represents a putative class of purchasers of broadcast television spot advertising, alleging certain major television station owners and operators, and sales representative firms, conspired to artificially raise spot advertisement prices. (*In re Local TV Advertising Antitrust Litig.*, MDL No. 2867 (N.D. Ill.))

Represents a putative class of purchasers of domestic airline travel services against the four largest U.S. commercial air passenger carriers, alleging unlawful agreements to limit capacity on their respective airlines in violation of the Sherman Act. (*In re Domestic Airline Travel Antitrust Litigation*, MDL No. 2656 (D.D.C))

Represented PABCO Building Products LLC in trial preparation concerning its defense of claims filed by several individual builders that accuse the domestic suppliers of drywall of engaging in a price-fixing conspiracy. (*Ashton Woods Holdings L.L.C., et al. v. USG Corp., et al.*, No. 4:15-cv-01247-HSG (N.D. Cal.))

Represented a former employee and putative class in settlement, alleging the world's dominant rail equipment suppliers entered into no-poach agreements to restrain competition and reduce compensation for their railway industry employees; the case settled for \$49 million. (*In re Railway Industry Employee No-Poach Antitrust Litigation*, MDL No. 2850 (W.D. Pa.))

Represented end-purchasers of interior molded doors, alleging the country's two vertically integrated manufacturers conspired to increase and fix prices in violation of state and federal antitrust laws. (*In re Interior Molded Doors Indirect Purchaser Antitrust Litig.*, 3:18-cv-00850-JAG (E.D. Va.))

Represented the end-user plaintiffs and served on the lead counsel team which secured a record-breaking \$1.1 billion all-cash settlement, in one of the nation's largest antitrust cartel cases, alleging price fixing in the TFT-LCD panel market. (*In re TFT-LCD (Flat Panel) Antitrust Litigation*, MDL No. 1827 (N.D. Cal.))

Represented a nationwide class of direct-purchaser businesses and other plaintiffs on the liaison counsel team, alleging price fixing in the lithium ion battery market. The case settled for nearly \$140 million. (*In re Lithium Ion Batteries Antitrust Litigation*, MDL No. 2420 (N.D. Cal.))

Represented a class of California consumers of products and services from retail businesses accepting credit and/or debit cards from Visa and MasterCard, alleging defendants' rules regarding acceptance of their credit cards resulted in sura-competitive interchange fees being passed on to consumers. (*Credit/Debit Card Tying Cases*, J.C.C.P. No. 4335 (Cal. Super. Ct., SF))

Represented end-purchasers of transpacific airfare, alleging an international conspiracy to fix prices for international passenger travel between the U.S. and Asia, Australia, New Zealand, and the Pacific Islands via fare increases and fuel surcharges. (*In re Transpacific Passenger Air Transportation Antitrust Litigation* (MDL No. 1913 (N.D. Cal.))

PUBLICATIONS & PRESENTATIONS

"Handbook on the Rule of Reason (1st. Ed.)," American Bar Association (forthcoming 2024), contributing author

"Interview from the Bench," ABA Antitrust Law Section Global Private Litigation Conference, Copenhagen, Denmark, June 12, 2023, moderator

"Whose Harm Is It Anyway?" ABA Antitrust Law Section Global Private Litigation Conference, Copenhagen, Denmark, June 12, 2023, moderator

"Price Fixing 101" webinar for ABA Antitrust Law Section, May 8, 2023, panelist

"How I Learned to Love Pretrial Filings," ABA Antitrust Law Section Spring Meeting, March 31, 2023, panelist

"How to Investigate and Litigate Price Fixing Cases," ABA Antitrust Law Section, July 13, 2022, panelist

"RICO Turns 50: Its Continuing Relevance in Business and Competition Litigation," ABA Antitrust Law Section, May 26, 2022, moderator

"Career Conversations," ABA Antitrust Law Section Spring Meeting, April 7, 2022, panelist

"Pathways to Leadership," American Bar Association's 70th Antitrust Law Spring Meeting, April 5, 2022, panelist

"Recent Developments in Objector Involvement in Class Action Settlements," American Bar Association Consumer Protection Conference, June 2021

"Reflections On Consumer Class Action Litigation," ABA Antitrust Law Section's Consumer Protection Conference, July 12-13, 2021, panelist

"Big Tech's Reckoning with Antitrust Has Arrived," Bar Association of San Francisco Bulletin, April 2021

"Price Gouging in the Era of COVID-19," Competition Torts News, Vol. 17, Issue 1, Winter 2021

"International Perspectives on FRAND Enforcement," Session Chair, ABA Antitrust Law Section Spring Meeting, March 26, 2021

"The Fix Is In! How to Investigate and Litigate Price Fixing Cases," American Bar Association, December 8, 2020, panelist

"Information Exchanges: Antitrust, RICO, and Tort Theories of Liability," Competition Torts News, Vol. 17, Issue 1, Summer 2020

PROFESSIONAL AFFILIATIONS

Co-Chair, American Bar Association, Antitrust Section, Civil Practice & Procedure Committee (2024-present)

Co-Chair, American Bar Association, Antitrust Section, Joint Conduct Committee (2022–2024)

Co-Chair, American Bar Association, Antitrust Section, Competition Torts Committee (2021–2022)

Vice Chair, American Bar Association, Antitrust Section, Competition Torts Committee (2019–2021)

Executive Committee, Bar Association of San Francisco, Antitrust and Business Regulation Section (2017–2024)

Steering Committee, Bar Association of San Francisco, Wellness 2020 Initiative (2019–2020)

PRO BONO ACTIVITIES

Heather has a longstanding commitment to pro bono and other community service work. Most recently, she represented a class of deaf and hard of hearing individuals in a disability discrimination action challenging inconsistent, unreliable, and increasingly scrutinized access to sign language interpreting services, co-counseling with the civil rights association the National Association of the Deaf. That action was favorably resolved through settlement after active litigation. Heather's activities have also included: mentoring immigrant, refugee, and asylee lawyers and other professionals seeking employment in the Bay Area; representing a low-wage worker in pro bono litigation; and volunteering in equestrian community organizations.

NOTEWORTHY

Recognized *by The Legal 500* as a key contributor to the antitrust practice, 2024.

Named a Northern California Super Lawyer 2020-2024, and a Rising Star 2017-2019, as a top-rated antitrust litigation attorney, by Super Lawyers, a list issued by Thomson Reuters.

Received Honorable Mention in 2013 from the American Antitrust Institute (AAI) for "outstanding antitrust litigation achievement in private law practice" along with the other members of the Zelle litigation team for work in *In re TFT-LCD Antitrust Litigation* at AAI's first annual Antitrust Enforcement Awards.

Heather T. Rankie Rated by Super Lawyers

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