



## Paul Swanson

Partner

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**Leveraging experience in hundreds of disputes, Paul provides strategic guidance and determined advocacy for clients facing complex litigation, antitrust challenges, and investigations.**

Paul directs all phases of state and federal litigation, from preliminary injunctions through multi-week jury trials and appeals. His clients achieve predictability with phased and capped budgets, fixed fees, and other deliverables-focused solutions. His teams add extra value by developing inventive legal strategies when conventional options fall short, and by leveraging generative AI and machine learning to streamline tasks.

Paul leads the firm's antitrust and competition practice and represents plaintiffs, defendants, and third parties in price-fixing, monopolization, and price discrimination cases. Paul also advises on pricing programs, M&A compliance, and corporate antitrust policies. He has conducted internal investigations of suspected collusion and successfully defended government investigations of alleged price fixing, bid rigging, and monopolization. He co-authored the ABA's *State Antitrust Practice and Statutes* (6th ed. forthcoming) and is frequently sought by leading media outlets for commentary on competition matters, including by *The Financial Times*, *The Wall Street Journal*, and *The New York Times*.

Previously, Paul practiced law in New York and served as an aide on Capitol Hill and for a Presidential reelection campaign.

### PRACTICES

Business Litigation  
Antitrust and Competition  
Appellate  
Intellectual Property Litigation  
Government Contracts  
Cross-Border Transactions

### INDUSTRIES

Technology

### EDUCATION

Cornell Law School, J.D., 2012  
*summa cum laude*  
Kerr Family Memorial Prize  
  
University of California - Berkeley, B.A.,  
2006  
*magna cum laude*  
California Alumni Association Scholar

### BAR ADMISSIONS

Colorado  
New York

### COURT ADMISSIONS

U.S. Court of Appeals for the Tenth  
Circuit  
U.S. Court of Appeals for the Seventh  
Circuit  
U.S. District Court for the District of  
Colorado  
U.S. District Court for the Southern  
District of New York  
U.S. District Court for the Northern  
District of Texas  
U.S. District Court for the Western District  
of Oklahoma

### EXPERIENCE

#### Business-Critical Litigation

- Contract disputes
- Business torts and commercial fraud
- Intellectual property litigation
- Trade secret and non-compete enforcement
- Corporate acquisition and merger disputes
- Multi-district litigation
- International arbitration proceedings
- Preliminary injunctions and emergency relief
- Multi-week jury trials and complex litigation management
- State and federal appeals
- Post-judgment enforcement and collection

- Local counsel and third-party discovery matters

### **Antitrust and Competition**

- Sherman Act, Clayton Act, and Robinson-Patman Act litigation
- Price-fixing, bid-rigging, and monopolization investigations
- Minimum advertised pricing (MAP) and unilateral pricing programs (UPP)
- Antitrust compliance programs and training
- Trade association counseling and information-sharing policies
- No-poach, non-solicitation, and non-compete analysis and advice
- Merger and acquisition antitrust compliance

### **Investigations and Regulatory Matters**

- Internal, state, and federal antitrust investigations
- Grand jury subpoenas
- Whistleblower complaints
- Congressional interviews and inquiries
- Government contract compliance
- Regulatory enforcement actions

## **CLIENT RESULTS**

### **High-Stakes Litigation**

Led trial team to full plaintiff's judgment and award of attorneys' fees for CRM consulting firm in contract dispute with investment bank before American Arbitration Association.

Won full defense judgment for global apparel brand in S.D.N.Y. over alleged monopolization of ecommerce retail channel.

Secured summary judgment and fee award for alternative-energy developer in lengthy fee dispute brought before American Arbitration Association by investment bank.

Represented fintech company in related state and federal litigations over tying, exclusive dealing, tortious interference, and monopolization.

Obtained preliminary injunction and final defense judgment for co-owner of hospitality business in Colorado state court dispute over sale of business.

Represented data and analytics firm in multi-year third-party discovery in antitrust price-fixing MDL; successfully avoided direct claims despite allegations by plaintiff class that client facilitated central conspiracy.

Served as local counsel in Colorado federal court for national sports league in Sherman Act Section 1 and Section 2 litigation against competing sports league.

### **Successful Investigations**

Secured investigatory limits with Department of Justice for national apparel distributor's response to federal grand jury subpoena probing alleged price fixing and bid rigging; coordinated responses leading to no further investigation.

Represented amateur sports regulating body in state attorney general investigation of alleged exclusionary conduct in violation of Sherman Act Section 2 and state antitrust law.

Led internal investigation of whistleblower complaint over wage-fixing and competitive-information sharing for national construction-services company; developed proactive antitrust training program for office and jobsite personnel.

Conducted internal investigation of suspected competitive information-sharing for international industrial-supply and -services company.

### **Risk-Mitigating Antitrust Compliance**

Advised private equity client regarding HSR notifications in multi-party, multi-transaction acquisition.

Created antitrust compliance program for global trade group comprising multiple Fortune 500 distributors and conducted competition training for members' senior executives.

Developed or revised dozens of minimum-advertised price (MAP) and unilateral pricing programs (UPP) for clients across industries, including multi-level programs to address distributor, wholesaler, dual-distributor variations in client sales channels.

### **Creative Problem-Solving**

Won dismissal of all claims against global apparel brand in New York state court by applying quasi-judicial privilege to brand's use of Amazon dispute-resolution process to block unauthorized resellers.

Pioneered nationwide volume-litigation program for Fortune 500 client's six- and low-seven-figure contract disputes, generated 20:1 return on legal fees.

Defeated summary judgment for global electronics distributor on ground-breaking affirmative claim under U.C.C. implied warranty of non-infringement in federal court and thereafter leveraged favorable settlement.

Developed novel claim against pharmaceutical manufacturer for blended secondary- and tertiary-line price discrimination under the Robinson-Patman Act and leveraged denial of motion to dismiss to secure favorable settlement for national-distributor client.

### **PUBLICATIONS**

"State Antitrust Practice and Statutes, Sixth Edition - Chapters for the

States of Colorado and Wyoming," *American Bar Association*, January 2, 2024

"Limitless Limitations: How War Overwhelms Criminal Statutes of Limitations," *Cornell Law Review: Volume 97, Issue 6*, September 2012

### **BLOG POSTS**

"Let Us Not Become Weary in Trying Cases," *The Pulse*, August 24, 2026

"Beware black boxes bearing bids," *The Pulse*, July 31, 2026

### **SPEAKING ENGAGEMENTS**

"Evolving Landscape of White-Collar Civil and Criminal Enforcement, Best Practices to Adapt to Changing Federal Priorities, and Related Matters," *AICPA Forensic and Valuation Services Conference*, October 27, 2025

"Antitrust Spotlight: Algorithmic Agreements," *2025 Business Law Institute*, September 18, 2025

"Trust/Antitrust: Getting the Most from Your Outside Counsel Relationship and Issue-Spotting for Current Antitrust Risks," *ACC Colorado Breakfast CLE*, November 14, 2024

### **RECOGNITION**

- *Best Lawyers: Ones to Watch® in America*, Commercial Litigation, 2021-2025
- *Colorado Super Lawyers® Rising Stars*, Business Litigation, 2022-2025
- *Lawdragon*, 500 Leading Litigators, Business Litigation and Antitrust, 2025, 2026

### **PROFESSIONAL AND CIVIC AFFILIATIONS**

- American Bar Association, Antitrust Section, Member
- Colorado Bar Association, Member
- Denver Bar Association, Member
- Denver Metro Chamber of Commerce, Leadership Foundation
- Faculty of Federal Advocates