

Lisa M. Kaas | Of Counsel

Business Litigation

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Lisa Marie Kaas is a member of the Firm’s Corporate Litigation Practice Group and predominantly focuses her practice on antitrust litigation and counseling. Lisa principally has been engaged in the defense of Sherman Act Section 1 and state law price-fixing conspiracy claims in individual and class actions at the trial court and appellate levels. She represents U.S. and multinational businesses in a variety of industries, including technology, pharmaceuticals, transportation, and energy, and has substantial experience in complex litigation management and alternative modes of dispute resolution. Lisa’s experience also includes overseeing client responses to and negotiating with civil regulatory investigators, and counseling companies concerning minimization of antitrust risk associated with business transactions. She has advised on or litigated a broad range of antitrust issues, including horizontal and vertical price fixing, monopolization, group boycott, tying, exclusive dealing, and price discrimination.

Outside the antitrust arena, Lisa has been engaged to resolve a variety of litigation matters and general commercial disputes. A significant part of her practice is devoted to passenger and cargo customer litigation and counseling for a major international airline.

Prior to her legal career, Lisa served as a contract project manager for the U.S. Department of Justice, National Institute of Justice (“NIJ”), Investigative & Forensic Sciences Division. At NIJ, she facilitated several multidisciplinary technical working groups tasked with consensus development of recommended practices for law enforcement investigations and evidence collection, focusing her work primarily in the area of eyewitness evidence. She also administered grant programs for state and local crime laboratories and participated in national policy development regarding the use of DNA technology in investigations and postconviction

proceedings.

While in law school, Lisa served as senior editor of the *Georgetown Journal of Law & Public Policy*. As a student attorney in the Georgetown Criminal Justice Clinic, she represented indigent defendants in misdemeanor cases before the D.C. Superior Court and in parole revocation proceedings before the U.S. Parole Commission.

Select Engagements

- *In re Generic Pharmaceuticals Pricing Antitrust Litigation*. Defending generic pharmaceutical manufacturer in numerous class and individual direct actions against dozens of manufacturers and suppliers alleging conspiracy to allocate market share and fix prices of a broad range of generic drugs.
- *In re Optical Disk Drive Products Antitrust Litigation*. Represented a former Taiwanese manufacturer and distributor of optical disc drives named along with approximately a dozen other defendant groups in direct and indirect purchaser class actions and individual direct actions alleging that the companies conspired to fix prices of optical disc drives through bid rigging and information exchange. Obtained denial of certification of direct purchaser class; obtained summary judgment and dismissal of indirect purchaser class action for failure to show evidence of injury and damages; argued against appeal by the indirect purchaser class and secured affirmance in the Ninth Circuit.
- *Bandspeed, Inc. v. Garmin International, Inc., et al.* Defended major electronics manufacturer against antitrust claims in litigation over patent licensing of particular Bluetooth technology, in which patent holder alleged conspiracy, monopsonization, and group boycott based on defendants' supposed interference with its licensing through their membership in a private standard setting organization.
- *Precision Associates, Inc et al v. Panalpina World Transport (Holding) LTD*. Represented a global freight forwarding and logistics provider in putative class action that named some 65 companies in various alleged local, regional, and global conspiracies to fix prices, surcharges, or fees for freight forwarding services. Achieved dismissal of all claims against the client, with leave to amend; negotiated settlement that resulted in the client's dismissal with prejudice prior to discovery.
- *In re Western States Wholesale Natural Gas Antitrust Litigation*. Represented a major energy company in multidistrict litigation, including several putative class actions, alleging that its natural gas traders conspired with others in the industry to artificially inflate wholesale natural gas prices. Obtained dismissal of the parent entity from all actions for lack of personal jurisdiction. Also obtained dismissal of similar actions in state courts in Tennessee and Missouri.
- Secured dismissals of numerous cases at pleadings and summary judgment stages against international air carrier in passenger litigation alleging various injuries.

Admissions

- United States Court of Appeals for the Ninth Circuit
- District of Columbia
- U.S. District Court - District of Columbia
- U.S. District Court - Eastern District of Virginia
- United States Court of Appeals for the District of Columbia Circuit
- United States Court of Appeals for the Fourth Circuit
- Virginia

Education

- Marymount University, BA, summa cum laude
- Georgetown University Law Center, JD

Recognitions

- 2018, “Pro Bono Hero,” listed by the Virginia State Bar Special Committee on Access to Legal Services
- 2015, 2018, 2020, listed in Capital Pro Bono Honor Roll
- 2014, “Rising Star,” listed by *Washington, D.C. Super Lawyers*

Professional Activities

Lisa has led fundraising efforts to support the Legal Aid Society of the District of Columbia and Georgetown University Law Center’s annual fundraising drive focused on financial aid and other programs. She has donated her time on a pro bono basis to a number of causes and organizations, including community legal advice clinics, a local advocacy group for the intellectually disabled, and animal welfare societies.

In 2018, Lisa was selected by the Virginia State Bar Special Committee on Access to Legal Services as a “Pro Bono Hero” for her work providing legal assistance to low-income Virginia residents through the American Bar Association’s Free Legal Answers website.

Lisa is a member of the Antitrust and Litigation sections of the American Bar Association and the DC Bar.