



Barack Echols
OF COUNSEL

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Barack Echols is Of Counsel at Eimer Stahl LLP and is based in the firm's Chicago office. He focuses his practice on antitrust and complex commercial litigation, and has broad experience in class action defense, bankruptcy-related litigation, arbitration and responding to government investigation claims of anticompetitive practices and consumer fraud. Barack has represented corporate clients in arbitration and in federal and state courts throughout the United States in direct and indirect-purchaser price-fixing class actions, merger litigation, price-discrimination suits, consumer fraud matters and contract disputes.

Barack has been recognized by several prominent publications for his antitrust and complex litigation work including *Chambers USA*, *Legal 500 United States* and *America's Leading Lawyers for Business*. In 2015, *Savoy Magazine* included Barack in their annual Most Influential Black Lawyers list, which is comprised of "the best of the best" of black partners within leading national law firms and counsel from Fortune 1000 corporations. In addition, he has been selected as an "Illinois Super Lawyer" for antitrust work by *Super Lawyers* magazine every year since 2013.

CASE EXPERIENCE

Antitrust and Complex Litigation

- *In re 2003 NPM Adjustment* Arbitration: Trial counsel to major cigarette company and liaison counsel to industry in nationwide arbitration proceeding against 52 States and Territories represented

PRACTICE FOCUS

Antitrust
Class Action & Multidistrict Litigation
Complex Commercial Litigation
Government Regulation

EDUCATION

J.D., University of Chicago, with honors, 1999
Hinton Moot Court Board
Thomas R. Mulroy Prize for Excellence in Appellate Advocacy and Oral Argument
M.A., University of Chicago, Social Sciences, 1994
B.A., University of Chicago, Political Science, with honors, 1994

ADMISSIONS

Illinois
United States District Court for the Northern District of Illinois
United States Court of Appeals for the Third Circuit

by their Attorneys General seeking a payment adjustment under the terms of the Tobacco Master Settlement Agreement

- *Florida v. Georgia*, United States Supreme Court: Trial counsel to the State of Georgia in original action brought by the State of Florida over water rights.
- *Marion Diagnostic Center, LLC v. Becton Dickinson, et al.*, U.S. District Court for the Southern District of Illinois: Represented major medical supplies distributor in action alleging monopolization and a vertical conspiracy.
- *In re Dental Supplies Antitrust Litigation*, U.S. District Court for the Eastern District of Pennsylvania: Represented major dental supplies distribution in putative nationwide class action alleging price-fixing.
- *IQ Dental Supply, Inc. v. Henry Schein, Inc., et al.*, U.S. District Court for the Eastern District of New York: Represented client in competitor suit alleging unlawful market exclusion.
- *Siegel v. Shell Oil Company, et al.*, U.S. District Court for the Northern District of Illinois: Represented major oil company in nationwide class action alleging price-gouging and consumer fraud.
- *Archer and White Sales, Inc. v. Henry Schein, Inc. et al.*, U.S. District Court for the Eastern District of Texas: Represented client in antitrust action brought by competitor alleging market exclusion.
- *Hatchett v. Henry Schein, Inc., et al.*, U.S. District Court for the Southern District of Illinois: Represented major dental supplies distributor in statewide putative class action alleging price-fixing.
- *Kramer v. Henry Schein, Inc., et al.*, U.S. District Court for the Northern District of California: Represented major dental supplies distributor in statewide consumer putative class action alleging price-gouging.
- *Sanders v. Lockyer, et al.*, U.S. District Court for the Northern District of California: Represented major cigarette manufacturer in putative class action antitrust case challenging the Tobacco Master Settlement Agreement on antitrust grounds.
- *Vibo Corporation d/b/a General Tobacco v. Conway, et al.*, U.S. District Court for the Western District of Kentucky: Represented major tobacco company in antitrust case brought by competitor claiming market exclusion.
- *Holiday Wholesale, et al. v. Philip Morris, et al.*, U.S. District Court for the Northern District of Georgia: Represented major tobacco company in nationwide class action alleging price-fixing.

United States Court of Appeals for the Seventh Circuit

United States Supreme Court

- *Sanner v. Board of Trade of the City of Chicago*, U.S. District Court for the Northern District of Illinois: Trial counsel to client in nationwide antitrust class action alleging soybean futures market manipulation.
- *In re Linerboard Antitrust Litigation*, U.S. District Court for the Eastern District of Pennsylvania: Represented major containerboard manufacturer in nationwide class action alleging unlawful supply restraints and price-fixing.
- *Kleen Products LLC, et al. v. International Paper Company, et al.*, U.S. District Court for the Northern District of Illinois: Represented major corrugated products manufacturer in nationwide class action alleging price-fixing.
- *In re OSB Antitrust Litigation*, U.S. District Court for the Eastern District of Pennsylvania: Represented major oriented strand board manufacturer in nationwide class action alleging price-fixing.
- *Daric Smith v. Philip Morris Companies, et al.*, District Court of Seward County, Kansas: Represented major cigarette manufacturer in statewide indirect purchaser class action alleging price-fixing.
- *Patriot Coalsales LLC et al. v. Arcelor Mittal USA, Inc. et al.*, Circuit Court of Boone County, West Virginia: Represented major coal producer in action alleging breach of sales agreement.
- *Wayne v. BP Oil Supply Company*, Superior Court for the County of Los Angeles: Represented major oil company in statewide consumer class action alleging price-gouging of gasoline.

Chapter 11 Bankruptcy Proceedings

- *In re Energy Future Holdings Corporation, et al.*, U.S. Bankruptcy Court for the District of Delaware: Trial counsel to client in contest Chapter 11 bankruptcy proceedings.
- *In re Calpine Corporation, et al.*, U.S. Bankruptcy Court for the Southern District of New York: Litigation counsel representing client in Chapter 11 bankruptcy proceedings and in related adversary proceeding alleging fraudulent transfer.
- *In re Cengage Learning, Inc., et al.*, U.S. Bankruptcy Court for the Eastern District of New York: Litigation counsel representing client in Chapter 11 bankruptcy proceedings.
- *In re Flying J Inc. et al.*, U.S. Bankruptcy Court for the District of Delaware: Litigation counsel representing client in Chapter 11 bankruptcy proceedings.
- *In re Norwood Promotional Products Holdings, Inc. et al.*, U.S. Bankruptcy Court for the District of Delaware: Litigation counsel representing client in Chapter 11 bankruptcy proceedings.

Pro Bono Representations

- *U.S. Bank v. Hales Franciscan High School*, Circuit Court of Cook County, Illinois: Representation of all-male Black Catholic high school in mortgage foreclosure
- *Backpage.com, LLC v. Thomas J. Dart, Sheriff of Cook County, Illinois*, U.S. District Court for the Northern District of Illinois: Trial counsel to Cook County Sheriff in action brought against him by child prostitution facilitating website.
- *Reapers Hockey Association, Inc. v. Amateur Hockey Association Illinois, Inc. et al.*, U.S. District Court for the Northern District of Illinois: Representation of volunteer amateur sports league in antitrust case alleging unlawful market exclusion

NEWS

Eimer Stahl—Recognized by Chambers for Two Decades—Earns High Rankings for Antitrust, Commercial Litigation, Energy Practices

June 3, 2022

Eimer Stahl Grows Antitrust and Complex Litigation Practice with the Addition of Barack Echols

January 11, 2021

SPEAKING ENGAGEMENTS

Big Tech & Beyond: Antitrust in the Biden Era

June 10, 2021