

## People



## Charles H. Critchlow

Partner, Litigation  
Antitrust and Trade Regulation

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vCard

With more than 40 years of continuous experience, Charles Critchlow focuses his practice on export antitrust matters. Chuck counsels clients on competition law applicable to joint venture export corporations, and also advises on antitrust exemptions and a broad range of corporate-related matters, including joint venture agreements, corporate procedures and compliance, and export sales and distribution contracts. He handles antitrust and commercial litigation and advice, as well as joint ventures, merger clearance, cartel investigations, class actions, and general business litigation. He has worked on matters relating to industrial chemicals, fertilizers, oil, electrical contracting, gasoline, moving and storage, and paper industries.

Chuck has appeared before federal agencies and in state and federal courts throughout the United States. He has handled antitrust and trade matters in Mexico, Brazil, Venezuela, India, and South Africa, and coordinated antitrust legal compliance matters in over two dozen overseas jurisdictions. His experience includes general commercial litigation, antitrust litigation, and representation of companies in government and grand jury investigations. He has counseled on antitrust merger clearances, at home and abroad, in connection with acquisitions in the coal, industrial gases, household and agricultural insecticides, and fertilizer industries.

### Notable Work

**Export Trade Exemptions:** An acknowledged expert on U.S. export trade exemptions, counselling a number of corporations on the organization and operation of Webb-Pomerene associations and analogous organizations, including all aspects of competition, contract and corporate organizational matters. Actively involved in the development of the 1981 U.S. Export Trading Companies Act, and successfully defended use of the Webb-Pomerene exemption to achieve logistics efficiencies in *International Raw Materials v. Stauffer Chemical Co.*, 978 F. 2d 1318 (3d Cir. 1992), cert. denied 113 S. Ct. 1588 (1993).

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### Areas of Experience

Litigation  
Antitrust and Trade Regulation  
Commercial Disputes  
Brazil  
International  
Latin America and the Caribbean  
Economic Sanctions and Export Controls

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### Education

J.D., Columbia Law School, 1975  
B.A., Yale University, 1972, summa cum laude

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### Admissions

#### Bars

New York

#### Courts

U.S. Court of Appeals, Federal Circuit  
U.S. Court of International Trade  
U.S. Court of Appeals, Fourth Circuit  
U.S. Supreme Court  
U.S. Court of Appeals, Tenth Circuit  
U.S. Court of Appeals, Third Circuit  
U.S. Court of Appeals, Second Circuit

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### Related Content

Akerman Lawyers Selected to *Law360's* 2021  
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Five Akerman Lawyers Selected to *Law360's* 2020  
Editorial Advisory Boards  
April 20, 2020

Akerman Welcomes Veteran Litigator Charles  
Critchlow in New York  
March 31, 2020

**International Compliance:** Coordinated ongoing antitrust compliance for over 40 overseas jurisdictions and defense of U.S. export trade joint ventures in multiple jurisdictions, notably including proceedings in India and South Africa, resulting in landmark opinions construing the Indian Monopolies and Restrictive Trade Practices Act and South African Competition Act. More recently coordinated successful defense of a client before the Brazilian competition authority CADE.

**Defense of Foreign Corporations:** Represented a Chinese company in the first price fixing class action brought against Chinese defendants tried in U.S. federal court, which was ultimately dismissed on grounds of international comity.

**Commercial Litigation:** Secured dismissal from the bench after oral argument of a Swiss corporation on grounds of lack of jurisdiction, successfully defended French cosmetics company in a U.S. accounting arbitration, and secured award to a broker of a real estate commission based on an oral commitment.

**Constitutional Litigation:** Co-counsel in action successfully challenging the U.S. Harbor Maintenance Tax, resulting in over \$1 billion of refunds.

## Affiliations

- American Bar Association, Antitrust Law Section, Member; International Law Section, Member
- *Law360*, Competition Editorial Advisory Board, 2011-2021

## Published Work and Lectures

- International Financial Law Review (IFLR), Author, "Recent Developments in U.S. Competition Law," 2014
- American Bar Association, Contributing Author, "Antitrust Law Developments," Fifth Edition, 2002
- American Bar Association, Co-Author, "Special Defenses in International Antitrust Litigation," 1995

## Honors and Distinctions

- *Law360*, 2020, Competition Editorial Advisory Board
- *Super Lawyers Magazine*, 2006, 2009-2011, 2013-2017, Listed in New York for Antitrust Litigation