

Jason Levine

Partner

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Jason Levine brings 30 years of combined experience as a first-chair trial lawyer and litigation finance executive to help clients navigate complex antitrust and commercial litigation. Having served as lead counsel for bet-the-company disputes and having also built the Washington, D.C. office for a publicly traded litigation funding company, Jason melds deep antitrust and trial experience with global business insight.

Jason partners with clients to offer a holistic, strategic approach to their most challenging disputes. In his antitrust practice, among many other high-stakes matters, Jason was lead defense counsel to global technology companies in several of the nation's largest price-fixing class actions and multidistrict proceedings. He also represents corporate clients in competitor antitrust suits, contested mergers, and other forms of antitrust class actions, in addition to advising on competition-related risks and strategies. During the COVID-19 pandemic, Jason was a published authority on price-gouging and associated competition issues. He has also tried over a dozen commercial cases to final judgment. He represents both plaintiffs and defendants in complex matters involving all types of contract claims, fraud, and business torts, including cases involving the government as a party.

Jason has achieved successful judgments and settlements in jury trials, bench trials, arbitrations, and appeals. Altogether, he has secured over \$3 billion in relief for plaintiff-side corporate clients and protected defendant clients from over \$17 billion in potential liability. Jason's unique combination of antitrust, trial, and litigation finance experience positions him to help clients advance claims, defend against massive exposures, and capitalize on new strategic opportunities.

Before joining Foley, Jason launched and led the Washington, D.C. office of Omni Bridgeway, a global commercial litigation finance company. He managed investments involving billion-dollar antitrust and business disputes and directed the company's U.S. antitrust strategy. Over his nearly four-year tenure, Jason originated and evaluated roughly 300 potential investments, increasing opportunities for high-value corporate litigation nationwide. He applies this experience in his practice, using his wide industry network to advise

clients and explore potential nonrecourse financing solutions for plaintiff-side matters. Jason was previously a partner and trial lawyer at several multinational law firms. After graduating from Harvard Law School, he served as a law clerk to Judge Randall Rader on the U.S. Court of Appeals for the Federal Circuit.

Trial Team

Jason has first-chaired over a dozen high stakes trials for clients before juries, judges, and arbitral panels across the country. His cases have involved complex commercial disputes, contract claims against the U.S. Government, business torts, defamation, and natural resource damages. Jason also has deep expertise in antitrust litigation, including competitor disputes, opt out claims, and class action defense in some of the nation's largest multidistrict litigation matters. He has represented Fortune 500 companies in technology, healthcare, manufacturing, and financial services, and developed strategies that secured billions in relief for corporate plaintiffs and helped defendants avoid multibillion-dollar liabilities. Clients value his ability to blend trial-ready advocacy with nuanced command of antitrust law.

Jason's trial successes include winning a subcontract award worth over \$1.5 billion in two weeklong arbitrations, defeating a \$100+ million contract and fraud claim in a two-week jury trial, defeating a \$10+ million defamation claim in another jury trial, winning full damages plus costs after a bench trial in a contract dispute, and securing modifications to a decades old consent decree. He has also argued and won numerous case dispositive motions.

A former debating champion, Jason thrives in the courtroom. Clients appreciate his efficiency, ingenuity, and trial readiness. He approaches every dispute as if it might go to trial, and his strategic focus aids in settlement discussions and streamlines dispositive motion preparation. Among other recent accolades, he has been recognized by Super Lawyers, Business Litigation (2012–2025) and The Best Lawyers in America®, Commercial Litigation (2020–2022).

Representative Experience

Trial

- Served as lead counsel in two international arbitrations for a global shipbuilder, protecting a contract valued at US\$3bn and a construction subcontract worth US\$1.5bn for warships. Prevented the prime contractor from awarding the subcontract to a competitor, enabling the client to secure the work.*
- Defended an international trading and investment company in a US\$100mn breach of contract jury trial. Secured a full defense verdict on all claims and prevailed on a US \$14mn counterclaim for the client.*
- Led a two-week arbitration for a U.S. shipbuilder involving more than US\$70mn in contract claims against a multinational defense contractor and separately defended a US\$12mn contract claim brought by the same contractor, in cases involving impossibility of performance.*
- Served as lead counsel for a Panamanian real estate company in two separate trials asserting US\$50mn in breach of contract claims against the U.S. Department of State. Later briefed and argued the case on appeal.*

- Won a full defense verdict as co-lead counsel in a US\$12mn defamation case brought by a former gubernatorial candidate against political party committee clients. Prevailed in the plaintiff's hometown and defeated appeals through the U.S. Supreme Court.*
- Litigated and won case-dispositive defenses in a US\$1bn union retiree health care benefits class action for a global manufacturer in a week-long bench trial and briefed the matter on appeal.*
- Co-led a four-month bench trial in a multibillion-dollar natural resource damages case brought by the U.S. Department of Justice for environmental restoration claims.*
- Successfully challenged the validity of a nationwide consent decree in a bench trial, winning major modifications and later protecting them on appeal.*

Antitrust Litigation

- Served as lead defense counsel for a Japanese electronics company and its U.S. subsidiary in two nationwide antitrust class actions, four opt-out lawsuits, agency enforcement actions, and additional threatened lawsuits involving claims of cartelized price-fixing in the lithium-ion battery industry. The matters were resolved for roughly 1 percent of claimed damages.*
- Served as lead defense counsel for a different Japanese electronics company in two nationwide antitrust class actions, multiple opt-out lawsuits, and a state agency enforcement action involving claims of cartelized price-fixing in the optical disk drive industry. The matters were resolved for less than 2 percent of claimed damages.*
- Led the defense of a generic pharmaceutical company in a putative antitrust class action alleging a horizontal conspiracy to monopolize and allocate the market for a drug based on a so-called "reverse payment" or "pay for delay" arrangement, arising from the settlement of patent disputes between the client and the branded drug manufacturer.*
- Served as lead defense counsel to an electric utility company in a putative class action alleging a horizontal price-fixing conspiracy involving rate-setting and secured a full dismissal of claims against the client.*
- Led the defense of a tax-preparation organization in a putative class action alleging a horizontal price-fixing conspiracy involving "free" tax filing services, secured a full dismissal of claims against his client, and defended the dismissal on appeal.*
- Advised global conglomerates on litigation risks associated with U.S. merger activity.*
- Counseled multiple health care companies on responding to anticompetitive conduct in key geographic markets.*
- Represented a leading global Internet company as a nonparty in a merger trial involving the airline industry.*
- Led strategic discovery and enforcement risk assessment efforts in connection with Hart-Scott-Rodino "second requests" involving corporate mergers.*
- Provided guidance on price gouging and related antitrust issues during the COVID-19 pandemic.*

Commercial Litigation

- Achieved a US\$538mn settlement for more than 225 dialysis clinics in a dispute with the U.S. Department of Veterans Affairs over years of underpayment for dialysis services.*
- Led the defense of a financial services firm in a purported nationwide class action alleging violations of the Fair Debt Collection Practices Act.*
- Guided a real estate investment and finance company through a bet-the-company lawsuit involving a US\$200mn change of control transaction and more than US\$100mn in potential exposure, resulting in a mutually beneficial negotiated resolution.*
- Served as lead counsel to a global financial services company in a series of post-closing disputes arising from a US\$180mn asset acquisition.*
- Led the defense of consolidated contract and fraud lawsuits for an international trading and investment company with claims and counterclaims exceeding US\$100mn. Defeated all but one claim (later defeated at trial) and secured a US\$14mn summary judgment for the client.*
- Defended a global dialysis provider in a purported Missouri class action concerning the alleged wrongful disclosure of patient medical and payment records.*
- Represented a health insurer in litigation against the U.S. Department of Health and Human Services, recovering US\$30mn in risk corridor reimbursement payments mandated by the Affordable Care Act.*
- Defended a private debt collection firm's student loan contract award by the U.S. Department of Education, defeating temporary restraining order and preliminary injunction claims brought by competitors.*
- Represented a former trustee and limited partner in complex litigation over a US\$70mn trust and limited partnership agreement.*
- Negotiated an eve-of-trial settlement for a manufacturing and construction company in a bet-the-company business tort case, recovering nearly 100 percent of the client's damages.*
- Advised multiple clients on contractual nonperformance and force majeure defenses during the COVID-19 pandemic.*
- Prepared and filed amicus curiae briefs for major trade associations in the U.S. Supreme Court, D.C. Circuit, and Ninth Circuit cases involving regulatory and constitutional litigation.*

**Matters handled prior to joining Foley.*

Awards and Recognition

- *Super Lawyers*, Business Litigation, Washington, D.C. (2012–2025)
- *The Best Lawyers in America*®, Commercial Litigation, Washington, D.C. (2020–2022)
- *Euromoney's* Benchmark Litigation, Washington, D.C., "Future Star" (2012–2019)
- *Legal 500 U.S.*, "Recommended" in Antitrust (2018)
- *Global Competition Review*, "Recommended" in Antitrust (Washington, D.C.) (2015–2016)
- *Lawdragon*, *Lawdragon 3000*, "New Stars New Worlds" (2006; 2008–2011)

Affiliations

- American Bar Association, Antitrust Section (2012–present)
- Executive Committee Liaison, International Legal Finance Association (2024-2025)
- Litigation Executive Committee, Federalist Society for Law & Public Policy Studies (2016–2023)
- U.S. Chamber Litigation Center
 - Administrative Law and Government Litigation Advisory Committee (2017–2022)
 - “COVID-19 Litigation Roundup” blog, founder and editor (2020–2022)

Community Involvement

- Pro bono counsel for amici curiae in First Amendment religious liberty appeals, and advisor to leading non-profit legal organization combating antisemitism.
- Presenter and panelist in CLE and industry programs on litigation finance and antitrust litigation.

Presentations and Publications

Presentations

- “The Evolution of Collective Enforcement in Antitrust Litigation: Strategies and Trends Across Borders,” AIJA 63rd International Young Lawyers’ Congress, panelist, August 26, 2025.
- “Advantages of Litigation Finance: Strategies and Preparation for Funding,” Maryland State Bar Association, webinar, October 9, 2024.
- “Commercial Litigation Finance: Fundamentals and Trends,” GBL Alliance Conference, panelist, April 18, 2024.
- “How to Drive the Value of Antitrust Claims Through Litigation Finance,” Chambers & Partners, webinar, June 14, 2022.
- “Litigation Financing for Law Firms,” ABA Litigation Section, podcast (May 3, 2022).
- “Courthouse Steps Decision Webinar: Collins v. Yellen,” The Federalist Society, webinar and podcast, July 2, 2021.
- “COVID-19 Business Litigation: A One-Year Review,” U.S. Chamber Litigation Center, webinar, April 15, 2021.
- “The Trouble with Emojis, Emerging Legal Issue and Proposed Business Responses,” 25th Annual Houston Association of Petroleum Landmen Offshore Seminar, October 30, 2019.
- “The ‘Risk Corridors’ Litigation: How Risky Should It Be to Do Business with the U.S. Government?” The Federalist Society, webinar and podcast, July 18, 2019.
- “The Struggle to Rein in Shareholder Activism,” The Federalist Society, webinar and podcast, April 26, 2018.
- “Freddie & Fannie Shareholder Litigation Update,” The Federalist Society, webinar and podcast, March 2, 2017.

Publications

- “Price-Gouging Lessons from the East Coast Pipeline Shutdown,” *The National Law Journal*, June 1, 2021.

- “Supreme Court Refusal to Review the ‘Net Worth Sweep’ Does Not Totally Sweep Away Investors’ Claims,” *FedSoc Blog*, org, March 12, 2018.
- “Why Time Warner’s Attack Against the TCPA Is on the Ropes,” *Law360*, March 30, 2017.
- “The D.C. Circuit Decision on the ‘Net Worth Sweep’ Was Not a Clean Sweep for the Government,” *FedSoc Blog*, org, March 29, 2017.
- “Why FTC v. Qualcomm Follow-On Suits Are Worth Watching,” *Law360*, February 27, 2017.

Practice Areas

- [Antitrust & Competition](#)
- [Appellate](#)
- [Commercial Litigation](#)
- [Litigation](#)

Education

- Harvard Law School (J.D., cum laude, 1994)
 - Editor-in-chief, *Harvard Journal of Law & Public Policy*
 - Research Assistant to Professors Charles Fried and Raoul Berger
- Brandeis University (B.A., summa cum laude, Phi Beta Kappa, 1991)
 - President, Brandeis Debate Society
 - Editor-in-chief, *Brandeisian*

Admissions

- New York
- Washington, D.C.
- Maryland
- U.S. Supreme Court
- U.S. Courts of Appeals for the D.C., Third, Fifth, Sixth, Seventh, Ninth, Eleventh, and Federal Circuits
- U.S. District Courts for the District of Columbia, District of Maryland, Western District of Texas, Eastern District of Michigan, Eastern District of Wisconsin
- U.S. Court of Federal Claims