

Rising Star: Morgan Lewis' Brendan Fee

By Bill Donahue

Law360, New York (April 17, 2014, 8:46 PM ET) -- Morgan Lewis & Bockius LLP's Brendan Fee took the lead in winning big dismissals and settlements in major antitrust cases for ASTM International, Comdata Network Inc. and others, making the 35-year-old partner one of Law360's top competition lawyers under the age of 40.

Fee, who's been with Morgan Lewis' Philadelphia office since 2007, played key roles in defending class actions and individual plaintiff cases for clients in a wide variety of fields, including payment systems, pharmaceuticals, health care, energy, industrial products, standards development and technology, helping him secure a spot as one of the five competition attorneys on **Law360's 2014 Rising Stars** list.

Antitrust is a field that drew him in early in his still-young career, one that's "always evolving" as the law changes with the ever-shifting economics that it's trying to regulate. The changes in the law give an aspiring, young attorney a chance to "sprinkle in a little creativity," Fee said.

"The ability to take a unique set of facts that you're presented with and turn them into a creative argument that appeals to both economics and the philosophical underpinnings of the antitrust laws is something that's somewhat unique to antitrust, in the sense that this practice area is so economics driven," Fee said.

Take his experience this year with Comdata, a payment card firm that Fee has been working with for years. This year, he helped the company reach a resolution after seven years of litigation in a case that accused Comdata of monopolizing a market for credit cards used by truckers.

Among other things, the case dealt with a rapidly evolving area of antitrust law: most-favored nations clauses in the payment card area. As always, like Fee said, the law is trying to keep pace with the economics.

"Those issues are on the leading edge of the development of antitrust law today," Fee said. "Being able to get deeply involved in both the law and economics of those issues has really been a pleasure for me."

Fee's other recent cases were by no means unimportant — major dismissals for standards development company ASTM and a big settlement for University of Pennsylvania Health System — but it's the Comdata situation, too, that gives an insight into how he rose up the ranks by the age of 35.

Years of litigation gives an attorney years of time to build up trust and prove that he or she can hack it. With seven years on the job and a close relationship with Comdata, Fee was able to develop just that kind of trust and respect.

“I was able to really obtain the trust of the client and some of my colleagues at the firm, which enabled me to take some key depositions and take the lead on certain matters at a reasonably early stage in my career,” the Morgan Lewis attorney said.

And that story is exactly what he'd tell younger attorneys looking to move up: Work hard, build trust, and learn the skills you need. When the big deposition comes up, don't turn it down.

“Seek someone out that you respect and are comfortable with, and form a relationship with them,” Fee said. “Be a sponge in terms of what you can take in, both sort of on the practical side and on the legal side.”

He added, “And then your opportunity presents itself, be prepared to apply the skills you have been able to assimilate.”

--Editing by Edrienne Su.

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