

## Mark C. Grundvig

### Partner

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Mark Grundvig, a former federal prosecutor with the U.S. Department of Justice (DOJ), focuses his practice on antitrust investigations and litigation, white collar criminal defense and litigation, government investigations, corporate compliance, and congressional investigations as a partner in Foley's Antitrust & Competition Practice Group. Mark has provided antitrust counseling and training for companies operating in a variety of industries and has provided antitrust risk assessment guidance reflecting enforcement priorities. He has also conducted internal investigations for companies facing potential antitrust exposure in various jurisdictions.

Prior to Foley, Mark served over 25 years with the DOJ, most recently as Assistant Chief in Washington, D.C., with a criminal office of the Antitrust Division. As Assistant Chief, Mark oversaw investigations and prosecutions of criminal violations of federal laws relating to competition matters, including price fixing, bid rigging, customer allocation, and fraud. Mark additionally supervised investigations and litigation handled by the office and provided training, direction, guidance, and approval on investigative plans, litigation strategy, plea resolutions, leniency applications, compliance proposals, and outreach efforts. He regularly coordinated with foreign jurisdictions and domestic agencies on case-related matters and served as a senior trial attorney for the Antitrust Division.

While Mark's experience at the DOJ encompassed a wide range of enforcement actions across a broad range of industries, significant focuses of his were international cartel enforcement and criminal antitrust enforcement in the health care industry, the transportation industry, and government procurement enforcement.

Earlier in his career, Mark spent two years working on the Senate Judiciary Subcommittee on Antitrust, Competition Policy, and Consumer Rights, examining various competition issues.

Mark Grundvig is an experienced white collar defense partner and trial lawyer. Prior to joining Foley, Mark served as an Assistant Chief with two different offices with the Department of Justice's Antitrust Division

where he supervised and directed the trials his office handled. In his work with the Antitrust Division and the U.S. Attorney's office in the Eastern District of Virginia, Mark tried numerous cases, including jury trials relating to antitrust, fraud, false statements, and various conspiracy charges and involving the health care, transportation, financial, and manufacturing sectors. Mark first chaired multiple jury trials and managed numerous other cases, developing and implementing effective trial strategies. Mark has a demonstrated ability to distill complex legal and factual issues for juries to persuasively present his cases. He has handled all aspects of trial work including opening, closing, and rebuttal arguments as well as direct examinations and cross-examinations of key witnesses crucial to his cases. While with the Antitrust Division, Mark received numerous Awards of Distinction for his trial work, and he received the Hugh Morrison award for his "exemplary work ethic" as an "outstanding career litigator" in 2021.

## **Affiliations**

- Federal Bar Association, Antitrust and Trade Regulation Section, Chair (2024-present), Membership Chair (2022-2024), Financial Chair (2021-2022)
- American Bar Association, Antitrust Law, Cartel and Criminal Practice Committee
- J. Reuben Clark Law Society

## **Presentation and Publications**

- Co-author, "Antitrust Enforcement in Government Procurement," ABA Criminal Justice Magazine, Spring 2025
- Co-author, "Caution flag is out: Michael Jordan's lawsuit against NASCAR," Sports Business Journal (February 13, 2024)
- Co-author, "DOJ's Antitrust Division Says Compliance Programs Must be Updated to Address Changing Technology," Foley Insights (November 22, 2024)
- Co-author, "What Every Multinational Company Should Know About . . . Dawn Raids," Foley Insights (November 07, 2024)
- Co-author, "DOJ to Ramp up Antitrust Enforcement in Agriculture Sector," Foley Insights (July 8, 2024)
- Co-author, "What Every Multinational Company Should Know About the U.S. DOJ's Safe Harbor Policy and What the Antitrust Division Requires," Foley Insights (June 19, 2024)
- Co-author, "Members of Congress Call for DOJ to Investigate Possible Antitrust Violations in Oil Industry," Foley Insights (June 18, 2024)
- Co-author, "DOJ and FTC Raise Concerns about Overlapping Ownership in Public Utility Companies," Foley Insights (May 1, 2024)
- Co-author, "Noncompetes: What the FTC's Rule May Mean for Health Care & Life Sciences Providers," Foley Insights (April 26, 2024)
- Speaker, White-Collar Crime Workshop, Embassy of Japan, Washington, D.C. (October 2023)
- Moderator, Antitrust Division Roundtable on ACPERA, Litigated Issues & Challenges (2019)
- Speaker, Japanese Business Society Detroit (2017)
- Visiting Instructor, Comisión Federal de Competencia Económica, Mexico City (2016)

- Speaker, Virginia Bar Association Summer Meeting, Individual Accountability (2016)
- Speaker, International Competition Network Cartel Workshop in Taipei, Taiwan (2014)
- Participant, International Competition Network Cartel Workshop in San Salvador, El Salvador (2007)

## **Awards & Recognition**

- Antitrust Division, Hugh P. Morrison Award in recognition of long-term achievement and exemplary work ethic of a career litigator and litigation manager (2021)
- Assistant Attorney General Award of Distinction (2007, 2014, 2018, 2022, 2023)
- Attorney General Award for Distinguished Service (2009)
- Council of the Inspectors General Award for Excellence (2009)

## **Practice Areas**

- [Antitrust & Competition](#)
- [False Claims Act](#)
- [Government Enforcement Defense & Investigations](#)
- [Litigation](#)

## **Education**

- University of Arizona James E. Rogers College of Law (J.D., magna cum laude, 1996)
- Brigham Young University (B.S., 1993)

## **Admissions**

- Arizona
- District of Columbia
- Virginia