



Richard T. Hamilton, Jr.

Counsel

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Rick focuses his practice on representing individuals, companies, and organizations in white collar, antitrust, internal investigations, and complex business matters. He is a trial lawyer who draws on his more than 20 years as a federal prosecutor with the U.S. Department of Justice Antitrust Division to counsel the firm's clients on a wide variety of matters. These include criminal and civil violations of the Sherman Antitrust Act and related federal and state antitrust laws, securities, financial, Foreign Corrupt Practices Act (FCPA), RICO, mail and wire fraud, money laundering, tax violations, public theft, bribery, obstruction of justice, perjury, false statements, conspiracy, trade secrets, kickbacks, and criminal and civil asset forfeiture.

At the U.S. Department of Justice and more recently at the U.S. Attorney's Office for the Northern District of Ohio, Rick was a no-nonsense, hands-on prosecutor who led complex international, national, and local white collar criminal investigations and prosecutions against individuals and corporations, including in a number of high profile, industry-transforming matters. This experience enables him to provide his clients with a valuable combination of practical legal counsel and government perspective. As a prosecutor, he spent his time building cases from the ground up. As a defense lawyer, he now uses that same skill set to deconstruct, unbundle, and defend investigations and cases brought by the government. For much of his career, Rick's experience involved handling high-volume, sophisticated, document heavy investigations and prosecutions and he continues to handle these types of cases for his clients at UB Greensfelder.

Rick's practice also involves antitrust litigation and counsel. In addition to serving as first chair in antitrust trials involving price fixing, bid rigging, and market allocation, he routinely counsels clients on pricing, sales, and distribution policies, price discrimination under the Robinson Patman Act and related statutes, Resale Price Maintenance Agreements and the value of Colgate and MAP policies, mergers and acquisitions and related antitrust risk from federal antitrust law enforcement agencies, trade association activities, amnesty considerations under the Antitrust Division's Corporate Leniency program, antitrust compliance programs, and myriad other antitrust matters. He also has extensive expertise in handling all phases of grand jury matters.

Widely respected as a federal prosecutor, Rick received the Office of the Inspector General Award for Excellence in 2009 for his role in the historic airlines price fixing investigation and prosecution, as well as numerous awards for sustained superior

Practices & Industries

- Regulatory & Antitrust Law
- White Collar Defense and Corporate Investigations
- Litigation & Dispute Resolution
- Complex Business Litigation
- Financial Services
- Manufacturing

performance and individual or specific achievement. He was also handpicked for several prominent Antitrust Division-based trial groups and initiatives established by the Assistant and Deputy Assistant Attorneys General.

Education

- Youngstown State University (B.A., *cum laude*, 1984)
- Duquesne University School of Law (J.D., 1987)
 - The Duquesne Law Review, Executive Editor of Recent Decisions (1986-87), Associate Editor (1985-86)
 - Recipient, Thomas J. and Rose Brennan McManus Award; Recipient, Edward I. Goldberg Award
- University of Pennsylvania Law School (LL.M., 1988)
 - (Focused on additional antitrust and labor law coursework and wrote a thesis regarding the application of economic principles and labor law exemptions to antitrust law.)

Bar Admissions

- Ohio
- Pennsylvania
- U.S. District Court, Northern District of Ohio
- U.S. District Court, Southern District of Ohio
- U.S. District Court, Western District of Pennsylvania
- U.S. District Court, Southern District of Florida
- U.S. Court of Appeals, Sixth Circuit
- U.S. Court of Appeals, Eleventh Circuit
- U.S. Court of Appeals, Ninth Circuit

Professional Affiliations

- American Bar Association (*Advisory Board Member, Cartel and Criminal Practice Committee, Antitrust Section, 2013-14*)
- Ohio State Bar Association
- Cleveland Metropolitan Bar Association
- Federal Bar Association, Northern District of Ohio (*Trial Academy Program, Member of the Planning Committee and Co-Director of Curriculum, 2019-2022; Trial Academy Program Instructor, 2019 and 2021; Program Moderator 2021*)

Community Involvement

- National Eagle Scout Association
- Gesu Parish, 1992-present
- Gesu Parish counsel, 2009-2010
- Served as representative on Catholic Diocese Sports Board overseeing rules changes for City basketball, 2008

- Head coach, Cleveland Heights Varsity Baseball, Summer, 2015-2016
- Head coach, Cleveland Heights JV Baseball, Summer, 2014
- Head coach, Make The Right Pitch, GLBL Travel Baseball, 2009-2013 (League and Playoff Champions, 2010)
- Head coach, Gesu Baseball, 2007-11 (East Division champions, CYO Eighth Grade City Championship Runner-up, 2011)
- Head coach, Cleveland Heights Baseball and All Star teams, 2001-2003, 2006-2008
- GLBL Travel Baseball, Assistant Coach, Cleveland Heights, 2006-2008
- Head coach, Gesu Boys Basketball, 2003-2004, 2006-2014 (East Division Champions, Elite Eight in Eighth Grade City Championship, 2011)
- Head coach, Gesu Girls Basketball, 2004-2008 (East Division Champions, Elite Eight in Eighth Grade City Championship, 2008)
- Head coach, Gesu Boys Basketball, High School, 2008-2012 (multiple teams)
- Assisted as coach for numerous other Cleveland Heights, GLBL travel baseball, and Gesu baseball teams; Cleveland Heights and Gesu Girls softball teams, and Gesu basketball teams, since 1999
- Head coach, Flag Football, Gesu, 2003-2004; 2006-2007
- Head coach, Flag Football, Cleveland Heights, 2002

Awards & Honors

- Named to *The Best Lawyers in America*®, Litigation – Antitrust (2021-2023); Commercial Litigation (2025; 2026)
- Named to the Ohio Super Lawyers list (2018-2020; 2026)

Experience

Defense

- Represented New York City corporation, its owners, and its employees in federal, criminal antitrust grand jury investigation initiated by the U.S. Department of Justice, Antitrust Division. At the conclusion of the investigation, no charges were brought.
- Represented prominent Cleveland area individual and corporation in civil lawsuit brought by Cuyahoga County involving alleged violations of the Ohio Corrupt Practices Act, civil conspiracy, theft of public funds, civil liability for criminal acts, and fraud. Successfully obtained summary judgment at the trial court level, resulting in all counts being dismissed with prejudice. Argued the appeal before the Eighth District Court of Appeals, which affirmed the trial court's decision. (*State ex rel. Cuyahoga County v. Jones Lang LaSalle, LLC, et al.*, 2017-Ohio-4066)
- Represented Fortune 500 company and first chaired bench trial in federal district court in the Northern District of Ohio involving breach of contract claim brought by terminated salesman, and successfully obtained judgment dismissing breach of contract claim.
- Represented Ohio light manufacturer alleged to have engaged in illegal vertical price fixing and group boycott conduct with its distributors under the State of Ohio's Valentine Act. Successfully obtained summary judgment at the trial court level, resulting in

dismissal of the case in its entirety. This was a case of first impression involving the application of the Valentine Act to resale price maintenance agreements following the U.S. Supreme Court's decision in *Leegin*. Argued the appeal before the Ninth District Court of Appeals, which affirmed the trial court's decision. (*Aladdin's Lights, Inc. v. Eye Lighting, International*, 2017-Ohio-7229)

- Represented Ohio corporation providing IT services for charter schools indicted for money laundering, RICO, and aggravated white collar criminal violations in Florida state action. Following indictment, successfully negotiated a nolle prosequi resolution where all charges were dismissed by the State's Attorney General.
- Represent former prominent public official in public corruption investigation and criminal proceedings brought by the State of Ohio. Successfully negotiated a non-prosecution agreement for the client.
- Represented an Ohio-based construction company and its owner, both targets of a fraud and theft investigation conducted by the Hamilton County Prosecutor's office. Successfully obtained a "declination to prosecute" letter, ending the investigation.
- Represented leading chemical manufacturer in antitrust investigation conducted by the FTC's Anticompetitive Practices section. Investigation ended with no enforcement action taken.
- Pro bono representation (through the Legal Aid Society of Cleveland) of individual in federal CID investigation where the individual is alleged to have violated the False Claims Act by improperly receiving PPP proceeds.
- Represent company in merchant cash allowance industry in connection with SEC and U.S. Department of Justice investigations and proceedings in the Eastern District of New York.
- Represented dealer-broker company and its officer in connection with federal lawsuit brought in the Northern District of Georgia by the Tax Division, U.S. Department of Justice.
- Represent a financial services agent in connection with federal tax prosecution brought by the Tax Division, U.S. Department of Justice.
- Represented individual identified as a target by the U.S. Department of Justice in an ongoing investigation involving allegations of theft of funds from a pension plan and wire fraud. Representation included parallel SEC investigation.
- Represented New York based company indicted for mail and wire fraud, money laundering, theft of public property, and obstruction of justice.
- Represented individual charged with insider trading by the SEC. Successfully negotiated "no admit or deny" settlement with minimal civil penalty and ability for the individual to reapply for industry employment.
- Represented individual charged with violations by the Office of the Comptroller of the Currency. Concluded the matter successfully by negotiating a significantly reduced monetary penalty.
- Represented individual in federal proceedings involving criminal and civil forfeiture related to a Ponzi scheme and related federal and state class action litigation involving claims of fraudulent money transfers. Successfully achieved return of property and negotiated a favorable settlement to conclude this litigation and achieved an interlocutory sale.
- Represented prominent financial institution whose financial advisor/agent stole significant sum of money (roughly \$1 million) from the financial institution's client. Successfully obtained, through prejudgment

attachment and later criminal forfeiture proceedings, return of the stolen money and goods purchased with the stolen money.

- Represented prominent law firm in investigation involving allegations of obstruction of justice. Resolved this matter with no criminal charges being brought.
- Represented corporation and individual in enforcement action brought by Ohio Environmental Protection Agency. Successfully forestalled an enforcement action being brought by the State of Ohio.
- Represented individual in a matter involving state investigation of possible homicide. Concluded successfully with no charges being brought.
- Represented individual in matter involving criminal investigation conducted by Veteran's Administration Agency. Successfully concluded without a criminal violation being charged.
- Represented individuals in IRS investigations involving federal tax laws, both criminal and civil.
- Represented international corporation in a matter involving recovery of money swindled from the client by an unscrupulous stock transfer agent.
- Represented Arizona company indicted for alleged criminal violations of environmental laws.
- Represented prominent company whose trade secrets were stolen by a competitor. Successfully resulted in favorable settlement and money being paid to our client.
- Represented alleged Ponzi schemer in SEC proceeding in the Southern District of New York.
- Represented alleged Ponzi schemer in state court action brought by the State of Ohio.
- Represent organization in connection with civil forfeiture proceeding brought by the U.S. Department of Justice in the Southern District of Florida involving property in Cleveland, Ohio.
- Represented buyer of distressed property in Cleveland, Ohio, subjected to a civil forfeiture proceeding brought by the U.S. Department of Justice.
- In a case of first impression, successfully represented two individual tax payers, obtaining an expungement of civil records in a local tax case brought by the State of Ohio.
- Represented a dealer-broker in a class action securities litigation case that was successfully removed from state to federal court, and obtained dismissal following motion to dismiss.
- Represent pharmaceutical supplier in multiple private civil cases in Cuyahoga County, Ohio, involving allegations of the Ohio Corrupt Practices Act, civil conspiracy, and Civil Recovery for Criminal Acts.

U.S. Department of Justice

- On the international front, as part of the Antitrust Division's investigation of commercial price-fixing in the *air cargo industry*, successfully led three separate investigations of individuals and corporations, culminating in the indictment of two ex-Air France executives.
- Led a prominent FCPA and money laundering investigation for the U.S. Department of Justice's Criminal Division, FCPA Unit, involving the alleged payment of kickbacks and bribes to foreign officials related to the reconstruction of Iraq.

- Initiated, developed, and led the Ohio and Florida-based investigations and prosecutions of 16 corporate and individual participants in the *scrap metal industry* on charges of criminal price-fixing, bid rigging, market allocation, wire fraud, interstate transportation of stolen property, obstruction of justice, and perjury. Rick's work, which included first chairing two jury trials, resulted in more than \$16 million in criminal fines, payment of restitution to victims of the crimes, disgorgement, and significant jail time for certain high-level executives involved with the criminal conspiracies. One of the criminal antitrust trials that Rick first chaired in Miami, Florida, resulted in the clean sweep conviction of four individuals and two companies in the scrap metal industry for price fixing and market allocation following Hurricane Andrew. (*U.S. v. Giordano*, 261 F.3d 1134 (11th Cir. 2001))
- Initiated, developed, and led a high-profile, industry-transforming investigation and prosecution of participants in the *magazine distribution industry*. What began as a local investigation into market monopolization quickly grew into a national investigation of the business practices of more than 400 regional and national distributors, as well as magazine publishers and other industry suppliers. Following the successful civil phase of the investigation, which included the four leading industry trade associations disbanding, Rick initiated and led national and international criminal investigations of magazine wholesalers, resulting in a number of successful criminal prosecutions, including first chairing a jury trial in Dallas.
- Prosecuted several companies and individuals in West Virginia and Virginia for school milk bid rigging and price fixing, including second chairing jury trial in Roanoke, Virginia.
- Was the first Antitrust Division attorney to prosecute a company for a violation of the Interstate Transportation of Stolen Property statute (18 U.S.C. §2314) in connection with a market allocation and bid rigging scheme.
- Was one of two Antitrust Division attorneys who were the first to prosecute an individual for bribery (in violation of 18 U.S.C. §666) in connection with a bid rigging scheme at a prominent local hospital.
- While serving as a trial attorney with the U.S. Attorney's Office in the Northern District of Ohio, Rick was assigned to the Major and Cyber Crimes Unit, where he was responsible for prosecuting a wide variety of general crimes, including criminal immigration matters, bank fraud, theft of public property, credit card fraud and identity theft, and felons in possession of guns. While there, Rick also tried a criminal case involving bank theft.

Additional Antitrust Experience

- Successfully represented a manufacturer that entered into a contract with a horizontal competitor to allocate the national market. Prevailed upon the Antitrust Division, U.S. Department of Justice, to file a "statement of interest" brief in a pending federal district court action in support of client's position that its contract with a competitor was *per se* illegal under Section 1 of the Sherman Antitrust Act. The client was being sued for not following the agreement and was facing being held in contempt for not doing so. Successfully resolved the case by, among other things, achieving termination of the illegal contract.
- Successfully represented a light manufacturer in CID investigation instigated by the State of Ohio's Attorney General Office for alleged price fixing and Resale Price Maintenance agreements. The State's investigation ended with no lawsuit being filed and a declination letter.
- Successfully obtained a marker for a client pursuant to the U.S. Department of Justice, Antitrust Division, Corporate Leniency program. Received assurance that client would

not be prosecuted criminally.

- Successfully represented an industrial gas manufacturer in alleged monopolization and attempted monopolization action brought in federal court pursuant to Section 2 of the Sherman Antitrust Act, and successfully obtained motion to dismiss.
- Represented plaintiff Tier 1 amateur hockey team in federal district court action in the Northern District of Illinois, raising allegations of group boycott and monopolization and attempt to monopolize under Section 2 of the Sherman Antitrust Act by other Tier 1 clubs and the governing hockey association. Ultimately, this action resulted in the client successfully receiving Tier 1 charter status.
- Represented as local counsel major insurance company in private antitrust and civil RICO action, and successfully achieved dismissal following motion to dismiss.
- Represented billion dollar company in evaluating the potential litigation risk of no-poach agreement with competitor in light of the U.S. Department of Justice, Antitrust Division's new policy criminalizing wage-fixing and agreements restraining labor inputs.
- Represented billion dollar company as third party witness in multiple merger proceedings before the Federal Trade Commission.
- Represented manufacturing client in assessing the viability of challenging a class action settlement payment and impact of the FTAIA on any potential litigation or recovery.
- Represented private equity company in acquisition of pigment company, including conducting detailed HHI analysis and assessing the risk of federal antitrust law enforcers, either the U.S. Department of Justice or Federal Trade Commission, challenging the merger.
- Represented a manufacturer and seller of handicap accessible vehicles in proposed merger discussions with buyer, including conducting detailed HHI analysis and assessing the risk of federal antitrust enforcers, either the U.S. Department of Justice or Federal Trade Commission, challenging the merger.
- Routinely review and draft pricing and distribution policies, including drafting several Colgate policies and MSRP and Minimum Advertised Price (MAP) programs for manufacturers and sellers.
- Routinely counsel clients on pricing, sales, and purchase policies, including best practices to limit the risks of price fixing, market allocation, and bid rigging agreements that violate federal and state antitrust laws.
- Routinely counsel clients on price discrimination issues that arise under the Robinson Patman Act and related state laws.
- Represented organization at annual industry conference attended by competitors, provided antitrust counsel and advice to ensure antitrust issues did not arise.
- Intimately familiar with all phases of antitrust investigations and grand jury investigations conducted by the U.S. Department of Justice, Antitrust Division, having conducted hundreds of grand jury exams and proffers as a former trial attorney with the Antitrust Division.

News & Media

August 21, 2025

UB Greensfelder Attorneys Recognized in The Best Lawyers in America® 2026 List

August 15, 2024

UB Greensfelder Attorneys Recognized in The Best Lawyers in America® 2025 List

August 18, 2022

Ulmer Attorneys Recognized in The Best Lawyers in America® 2023 Report

July 2, 2021

Ulmer Partner Richard Hamilton Quoted in AP Article