

Michael K. Vaska

Principal

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Mike has more than 30 years of experience representing clients in complex business disputes, including counseling on all aspects of antitrust and competition law issues.

Mike represents clients in a variety of industries including health care, building products, technology, sports and government.

Education

J.D., University of Chicago, 1985

- *University of Chicago Law Review*

A.B., Stanford University (with honors and distinction), 1982

- *The Stanford Daily*, Managing Editor

Honors & Recognition

The Best Lawyers in America®, Commercial Litigation, Litigation - Health Care, 2025

Daniel J. Evans Environment Award, Mainstream Republicans of Washington

Municipal League of King County, civic award for significant contribution on a regional issue (Sound Transit)

State Recreational Soccer Coach of the Year Finalist, Washington Youth Soccer Association

Services

Litigation

Antitrust & Consumer Protection

Health Care

Health Care Litigation

Admissions

Washington, 1985

U.S. District Court, Eastern District of Washington, 2011

U.S. District Court, Western District of Washington, 1986

U.S. Court of Appeals for the 3rd Circuit, 2000

U.S. Court of Appeals for the 9th Circuit, 1993

U.S. Supreme Court, 2001

Professional Activities

Mike currently serves on the Board of Directors for Cascade Public Media, serving on its Nominating & Governance Committee.

Mike has served as chair of various committees through the Greater Seattle Chamber of Commerce (including a coalition of environmental, labor, business and civic groups) seeking to reshape and then support establishment of a regional transit authority (Sound Transit). He was honored for these efforts with a civic award for significant contribution on a regional issue from the Municipal League of King County.

He has been a treasurer and/or active speaker in a variety of statewide initiative campaigns addressing funding for roads, transit and other projects.

Mike was a Republican member of the King County Redistricting Committee, a candidate for State Attorney General, and was recommended by a committee chaired by the late Norm Maleng to be U.S. Attorney.

He has served as the chair of Mainstream Republicans of Washington.

He previously served as the board vice chair of Crosscut Public Media, and for a dozen years coached his sons' youth soccer teams in the Issaquah Soccer Club.

News

Graham Fulton and Mike Vaska Featured in *Law360* for Antitrust Defense of Hockey Canada and the Canadian Olympic Committee
Law360, 2.25.26

71 Foster Garvey Attorneys Recognized Among the 2026 Best Lawyers in America; Paul Trincherro Named 'Lawyer of the Year'
8.21.25

65 Foster Garvey Attorneys Selected to The Best Lawyers in America® 2025, Three Named 'Lawyer of the Year'
Foster Garvey Newsroom, 8.15.24

Mike Vaska Joins the Cascade Public Media Board's Nominating and Governance Committee
5.23.24

Olympic Eagle Distributing Case Listed in *Daily Journal's* "Top Verdicts"
Foster Garvey Newsroom, 2.21.20

Olympic Eagle Distributing Wins Appeal in Landmark Case for Fairness in Arbitrations
Foster Garvey Newsroom, 11.7.19

Mike Vaska and Rylan Weythman Featured as “Legal Lions” in *Law360* Column
Law360, 10.30.19

Speaking Engagements

"Are Robots Fixing Prices?" 2024 AHLA Global Technology 100 Meeting
Speaking Engagement
6.24

Legal Alerts

New DOJ Policies Encourage Antitrust Compliance Programs
7.16.19

Publications

MLS Cup brings home the joy of my dad's 'immigrant's game'
The Seattle Times, 11.8.19

Finding common ground in protecting the great outdoors
The Seattle Times, 5.8.19

Just like my immigrant dad, Dreamers energize America
The Seattle Times, 12.10.17

Gov. Dan Evans: How a real leader squashed hate and extremists
The Seattle Times, 8.17.17

The Case for a Revenue-Neutral Carbon Tax in Washington State
Seattle Business Magazine, August 2016

Balanced development is threatened by I-933
Puget Sound Business Journal, 8.11.06

Thanks, Legislature, for spurring action on regional transportation
The Seattle Times, 4.4.06

If light rail starts south, it can't abandon the north
The Seattle Times, 9.27.01

Why We Support Formation Of The Rta
The Seattle Times, 6.21.93

Conscious Parallelism and Price Fixing: Defining the Boundary
University of Chicago Law Review, Spring 1985

Soviet Foreign Policy and Western Europe 1949-1952: Contextual Security and Diplomatic Flexibility

Stanford University, May 1982

Experience

Representative Work: Antitrust and Complex Litigation Experience

World's largest door and window manufacturer on national and international competition issues, including:

- advice on structuring transactions to minimize antitrust risk in highly concentrated industries;
- acquisition of Europe's largest door company;
- challenge to vertical merger of two leading competitors;
- criminal grand jury investigation by the Antitrust Division of price fixing in residential door industry;
- civil class action lawsuits alleging price fixing in residential door industry (In re Residential Door Antitrust Litigation);
- leniency pleas to European Commission and French Competition Council for cartel activity by foreign subsidiary resulting in first grant of antitrust leniency under French law;
- civil price fixing litigation against US glass cartel resulting in significant settlement for client after motions in limine (Flat Glass I); and
- second civil price fixing litigation against global glass cartel resulting in settlement for client after favorable ruling on umbrella damages claims and use of foreign cartel evidence at trial (Flat Glass II)

A leading Seattle-based investor and related entities on mergers, acquisitions, joint ventures and other issues, including: several dozen acquisitions (from small startups to billion dollar cable companies); structure acquisitions to avoid or minimize antitrust challenges.

Professional sports franchises Seattle Seahawks and Portland Trailblazers on antitrust issues.

Merger and acquisition counseling, government investigations, and preparation and filing of premerger notification forms.

A leading warehouse club retailer in its successful efforts to end Washington State's monopoly on the sale of liquor, including issues related to drafting and qualifying for ballot two statewide initiatives, and successfully defending Initiative 1183 against lawsuits challenging its constitutionality.

Investigation by Federal Trade Commission of proposed merger of world's two leading abrasive waterjet manufacturers resulting in a consent decree allowing transaction to proceed.

A Korean-based flat panel display manufacturer in price fixing claims brought by Washington State Attorney General's Office.

Investigation by Washington State Attorney General's Office into allegations of price fixing by Seattle convention hotels, resulting in a consent decree settlement.

Investigation by U.S. Justice Department's Antitrust Division and Washington State Attorney General's Office into multibillion dollar merger of two Japanese fishing companies resulting in consent decree benefiting local fishing companies.

Special Counsel to Antitrust Division of the US Department of Justice and State Attorneys General to establish Technical Committee required by the Federal Court to oversee the Microsoft Consent Decree.

The American Board of Thoracic Surgery in defending a claim by an osteopathic doctor alleging a conspiracy that included the University of Washington Medical School and other entities.

Led team representing estate of inventor of the blended winglet for 737 and other aircraft in patent licensing dispute.

Representative Work: Health Care Experience

Investigation by Federal Trade Commission of proposed combination of hospital systems based in Tacoma and Bremerton, resulting in decision by FTC not to challenge transaction.

A leading Yakima cardiac hospital in litigation with its cross-town rival over angioplasty services, including summary judgment dismissal of certificate of need litigation and of federal court claim challenging constitutionality of state regulations under dormant commerce clause.

A national for profit hospital system on antitrust and other issues related to separation of a joined medical staff.

A Seattle-area medical center in certificate of need application for construction of new hospital tower, the largest capital project in the history of the hospital system. Successfully defended the Department of Health's decision against appeal from a coalition of union groups.

A leading West Coast hospital system in a challenge brought by SEIU to financing before Hospital Facilities Authority.

Representative Community and Public Policy Experience

Transportation

Led civic effort to shape and then pass initial **Sound Transit** package in 1996 to finally bring rail transit to the Seattle area after several prior unsuccessful votes beginning in the 1960s. Built a coalition of business, labor and environmental groups to support effort. Asked by Sound Transit to help agency address issues around costs and alignments in the early 2000s.

Journalist Bob Woodnik's book *Back on Track: Sound Transit's Fight to Save Light Rail* recounts how Mike worked to support the goal of rail transit as one of its earliest supporters. Former Gov. Dan Evans told Mike, rail transit "is the hardest thing this region has ever tried to do...Jim Ellis couldn't get it done, so don't be discouraged if you have setbacks because it is really hard."

Helped form and lead statewide organization, **Washington Transportation Alliance**, to advocate for statewide transportation funding.

Health Care

Led effort to form **Yakima Valley Community Foundation** as part of a 2003 acquisition of Yakima Regional Hospital. Through community outreach and public hearings, worked to build a governance structure representative of the diverse interest in the Yakima Valley. The Foundation now has more than \$50 million in assets.

Led legal team supporting regulatory and financing approvals for **Providence Everett Hospital** Expansion, at the time the largest project in the health system's history.

Initiatives

Opposed **Tim Eyman** sponsored initiatives, including serving as the primary debater against Eyman's first Initiative 695 and helping to form a broad opposition coalition that included business, labor, environmental and civic groups.

Was part of legal team supporting **Costco**-led initiative to privatize liquor sales and defense of the initiative against legal challenges.

Real Estate

Assisted a public research university in developing a foundation to assist in managing its real estate needs.

Assisting **Seattle Social Housing Developer** as a startup public agency created through a Seattle voter initiative.

Media

Initial board member for not-for-profit **Crosscut Public Media**, serving in various roles including Development Chair and Vice-Chair through the merger of Crosscut with Cascade PBS in 2015.