BONALAW
ANTITRUST & COMPETITION

Steven Cernak

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Steve Cernak is a senior antitrust and competition law partner at Bona Law with deep experience advising Fortune 500 companies, emerging businesses, and clients across industries on the full spectrum of antitrust risk. He is a former Chair of the ABA Antitrust Law Section and has been recognized by Best Lawyers© in antitrust law every year since 2020.

What sets Steve apart for sophisticated clients is his more than 20 years as in-house antitrust counsel at General Motors, where he ultimately led the company's antitrust function — covering merger review and HSR filings, antitrust litigation, and global antitrust compliance programs. That in-house background means Steve understands how legal risk lands inside a large organization, how to communicate antitrust issues clearly to business leaders and boards, and how to build practical solutions rather than just identify problems.

Steve advises clients on:

- **Merger review and HSR filings** — including second requests and international filings
- **Global antitrust compliance programs** — design, implementation, and training
- **Pricing strategies and distribution arrangements** — including resale price maintenance, most-favored-nation clauses, price discrimination, and vertical restraints
- **Joint ventures and competitor collaborations** — structuring and managing arrangements to minimize antitrust exposure
- **Antitrust litigation and government investigations** — including DOJ and FTC matters

After GM, Steve spent seven years at Schiff Hardin (now Arent Fox Schiff) before joining Bona Law, serving clients in automotive, manufacturing, technology, franchising, and distribution industries. He is based in the Detroit area.

Education

J.D., University of Michigan Law School, 1989
Cum Laude

M.A., University of Michigan, 1989

A.B., University of Michigan, 1986
with high honors and distinction

Admissions

Michigan

Accolades

2027 The Best Lawyers in America® Award Recipient

2026 The Best Lawyers in America® Award Recipient

Farmington St. Gerald Catholic Church, Council Member

2001 State Bar of Michigan John W. Cummiskey Award Winner (Pro Bono Lawyer of the Year)

Best Lawyers

Leading Lawyers

Top Lawyers

Steve is also one of the most published antitrust lawyers in the country. He is the author of ***Antitrust Simulations*** (West Academic, 3rd ed.) and ***Antitrust in Distribution and Franchising*** (LexisNexis, updated annually), and has taught antitrust law at the University of Michigan Law School and the Thomas M. Cooley Law School Corporate & Finance LLM program. He is a frequent commentator on antitrust developments across legal, business, and mainstream media.

Publications

- Southern Glazer's Deal Tests FTC's Robinson-Patman Push
- DOJ Antitrust Division 2025: The Cop is Still on the Beat
- The Latest Death of Antitrust's Robinson-Patman Act?
- Antitrust in Labor Markets
- From Imago Dei to DQ: Comments on the First Major Speech by Gail Slater as DOJ's Top Antitrust Attorney
- Big Thoughts at the Antitrust Big Spring Meeting Week
- Antitrust Agency Publishes Revised HSR Notification Thresholds and Filing Fees For 2025
- Is it Possible to Win a Robinson Patman Act Case Now?
- Bona Law Members Help Lead the 2024 ABA Antitrust Law Section Spring Meeting
- Did You Receive an FTC or DOJ Subpoena? Be Sure To Preserve Everything Ephemeral
- Antitrust Agency Publishes Revised HSR Notification Thresholds and Filing Fees For 2024
- Best Antitrust Practices for Exchanging Competitive Information via Third Parties
- FTC Sues IQVIA To Block Healthcare Programmatic Advertising Acquisition
- Five Key Takeaways from Fifth Circuit's Illumina Merger Review Opinion
- Tell Me You've Never Run An Antitrust Compliance Program Without Telling Me You've Never Run An Antitrust Compliance Program
- Latest Step on Twisty Illumina/Grail Antitrust Merger Challenge Road
- More "Suddenly Classic" Antitrust Cases from the New Merger Guidelines: Philadelphia National Bank and Pabst
- DOJ's Recent Statement of Interest: An Example of America First Antitrust
- Still More "Suddenly Classic" Antitrust Cases from the New Merger Guidelines: General Dynamics, Marine Bancorporation and Procter & Gamble
- More Views on Antitrust and Dynamic Competition

- Lessons from the FTC's Settlement of the Amgen/Horizon Merger Challenge
- Actual Potential Competition: FTC V. *Meta/Within* Court Validates Odd Sounding Theory
- Antitrust Agency Publishes New HSR Notification Thresholds and Filing Fees For 2023
- FTC Section 5 Statement: Less Guidance Than Meets the Eye
- Three Strikes But Not Out: Antitrust Enforcers Swing and Miss in Recent Merger Challenges
- FTC's Challenge to Altria-JUUL Transaction: Antitrust and Constitutional Issues Hiding in Plain Sight - September 2022
- Biden's Antitrust: The Transformation is Here But Will it Last - April 2022
- Book Review - How to Evaluate Alleged Monopolies - February 2021
- FTC Lacks Statutory Authority to Lower Hart-Scott-Rodino Thresholds for Big Tech Acquisitions - November 13, 2020
- Coronavirus price gouging spurs efforts to rein in 'bad actor' resellers - March 29, 2020
- Viamedia: Seventh Circuit Makes Dismissal of Refusal to Deal Claims Very Difficult - March 25, 2020
- How Will the Application of Antitrust Law Change During the Coronavirus Crisis? - March 20, 2020
- Antitrust Refusal-to-Deal Cases: At or Near, but Still not Beyond, the Outer Boundary of Section 2
- The Enduring Rationale for "Limits of Antitrust"
- Robinson-Patman Suits Against 5-Hour Energy Maker Provide Lessons for Other Suppliers
- Maybe History Can Provide Useful Perspective
- No Need to Restrain "Carpet-bombing … with Ugly Throw Pillows": Creation of the FTC's Economic Liberty Task Force
- 5 Things to Expect from the Ohlhausen Commission
- Many Speeches to Review as Experts and Public Debate Antitrust Policy
- The ALLOW Act: Another Helpful Step Against Protectionist Licensing
- Antitrust Overhaul? Let's Get a Better Owner's Manual First
- FTC v. Invibio: Another Missed Opportunity to Provide Guidance
- Mainstream Media Is (Finally) Covering Antitrust Policy. Antitrust Practitioners Should Join the Discussion.
- You Would Cry Too If It Happened To You (and You Were a Bundling Plaintiff)
- Pricing Discussions and Allegations of Agreements: 2015 Cases Not Involving Contact Lenses
- Slower Crony Capitalism: The Immediate Aftermath of NC Board

- The Roberts Court, Enforcement Agencies and “The Limits of Antitrust”
- Phoebe Putney, NC Board: Winning Legal Battles, Not Hearts and Minds
- Costco v. J&J: The Latest and Largest in a Long Line of Pricing Cases
- McWane in the 11th Circuit: When Is Exclusive Dealing Anticompetitive?
- Antitrust Law and Effects on Innovation, Quality and the Labor Market
- State Regulation or Merely a “Gauzy Cloak”: A Preview of the North Carolina Board Oral Argument in the Supreme Court
- Can Bundled Discounts Be Illegal If Offered by a Firm Without Market Power?
- FTC/DOJ Workshop on Conditional Pricing Practices – Good as Far as It Goes
- So Whatever Happened to American Needle?
- OTA Case Turns Out to Be Less about MFNs and More about Agreement
- Is the FTC Changing Its Intellectual Property Rights Policy?
- Successful Mousetrap Builders Beware – Your Sales Contract Just Might Be “De FactoExclusive Dealing”
- Why the FTC’s McWane Opinions Raise More Questions Than They Answer
- Is the FTC Picking on the Pharmaceutical Industry Through New HSR Rules?
- Antitrust Complaints About Giant Companies Are Not New
- 7th Circuit Hospital Ruling Provides Exclusive-Dealing Lessons
- How New Pricing Technology Raises New Antitrust Issues
- How Eisai V. Sanofi Will Affect Loyalty Discount Cases
- Debating Old and New Trends In Auto Distribution
- 3 Antitrust Precedents Ripe For Overturning
- Not All Antitrust Auto Parts Cases Are ‘Auto Parts Cases’
- District Courts Grapple With High Court’s Actavis Ruling
- Auto Parts Investigations: Lessons From The First 2 Years
- FTC Shakeup Means No New Initiatives Soon
- Clarification From High Court On State Action Exemption
- Overview Of Oral Argument In FTC V. Phoebe Putney

- **The Auto Parts Investigations: Lessons From The 1st Year**
- **“Can Working with Your Competitors Make You More Competitive,” MiMfg Magazine January 2017.**
- **“A Conversation about Antitrust,” Michigan Bar Journal December 2014**
- **“You Had Me at Hyphen: A Review of Daniel Crane’s Antitrust,” Antitrust Source, August 2014**
- **Antitrust Simulations, 2ed. 2019, West Academic**
- **Antitrust in Distribution and Franchising, 2019, LexisNexis**

Speeches & Presentations

- “Damage Actions Across the Globe,” (panelist) International Bar Association Competition Law Fall Conference, September 12, 2025
- “Have We Been Doing It All Wrong,” (organizer and moderator) Chair’s Showcase Program American Bar Association Antitrust Section Spring Meeting 2025
- “Breakfast with the DAAGs” (organizer and moderator) American Bar Association Antitrust Section Spring Meeting 2024
- “Breakfast with the Bureau Directors” (organizer and moderator) American Bar Association Antitrust Section Spring Meeting 2023
- “Antitrust & Competition Law Strategies: Protecting your Brand,” (panelist) Luxury Law New York Summit, New York, N.Y. (Nov. 13, 2019)
- **"Revisiting 'The Limits of Antitrust'" (panelist), Federal Trade Commission Hearings on Competition and Consumer Protection in the 21st Century** (June 12, 2019)
- “ABA Section of Antitrust Law March 2019 – Social Media,” (panelist) American Bar Association, Antitrust Law Section, AT/CP Podcast (Apr. 26, 2019)
- “Monthly Antitrust Update Program for In-House Counsel,” American Bar Association, Antitrust Law Section, Corporate Counseling Committee (Jan. 10, 2019)
- “Antitrust Masters Course IX,” American Bar Association Section of Antitrust Law, Cambridge, Md. (Oct. 18-19, 2018)
- “Protecting Brand & Distributor Investment on the Internet,” ABA Antitrust Section Spring Meeting, Washington D.C. (Apr. 11, 2018)
- “Antitrust Masters Course VIII,” American Bar Association Section of Antitrust Law, Williamsburg, VA (October 2016)
- "Scaling the Antitrust Wall in China,” ABA Section of Antitrust Law Teleconference (Mar. 5, 2015)
- “So You (Might) Want to Be an Antitrust Adjunct Professor?” (panelist) 62nd Antitrust Law Spring Meeting, Washington, D.C. (Mar. 27, 2014)
- “Advertising Claims – Are the Substantiation Standards Shifting?” (moderator) 61st Spring Meeting, ABA Section of Antitrust Law (Apr. 10, 2013)
- “Antitrust Update for In-House Counsel,” (moderator) Corporate Counseling Committee Meeting, ABA Section of Antitrust Law (Mar. 2013)
- “When Offense is the Best Defense: Handling Concurrent Threats of Private Lawsuits and Government Investigations,” (moderator) ABA Section of Antitrust Law Corporate Counseling Committee Teleseminar (Sep. 2012)
- “The Antitrust-Labor Interface: Not Just for Pro Athletes,” ABA Section of Antitrust Law Spring Meeting, Washington, D.C. (Mar. 2012)

Professional Associations & Bar Memberships

- American Bar Association, Section of Antitrust Law, Former Chair
- State Bar of Michigan, Antitrust, Franchising & Trade Regulation Section, Member
- U.S. Chamber of Commerce, Antitrust Council, Ex Officio Member

Teaching Appointments

- University of Michigan Law School, Intermittent Lecturer; Counseling and Advocacy in Antitrust; In House Counsel; Advanced Antitrust; Federal Antitrust (2009-present) Wayne State University Law School, Adjunct Professor; Antitrust Law, (2012-2014) Thomas M. Cooley Law School Corporate and Finance LLM Program, Adjunct Professor; Antitrust Law (2010-present)

Other Activities

- Filed hundreds of Hart-Scott-Rodino premerger notifications, negotiated and responded to numerous Second-Requests, and managed US-based and multinational merger reviews.
- Created and implemented numerous global competition law compliance programs.
- In a billion-dollar antitrust conspiracy matter, coordinated the defense of multiple agency investigations and hundreds of lawsuits to settle allegations for a fraction of the original claim.
- Negotiated joint-venture agreements among automotive rivals and served as virtual general counsel for one of them for more than a decade.
- Served as divisional general counsel for aftermarket parts and service divisions, and now advises leading automotive aftermarket consultant.
- Advised on and successfully defended numerous minimum-advertised pricing, loyalty pricing. and other innovative marketing programs.
- Coordinated antitrust advice for multiple CEOs on antitrust/labor interface during labor negotiations.