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Bambo Obaro

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Bambo Obaro is a partner in Weil Gotshal & Manges LLP’s complex commercial litigation practice. He joined the firm in 2010, after having moved south from Canada for law school.

“I was the first lawyer in my family,” he said. “I took a class about the law in high school and I was attracted to the analytical parts and the storytelling aspects.” Obaro graduated cum laude from the University of San Francisco School of Law in 2009 and

was named a Daily Journal Top Under 40 lawyer in 2020.

He’s developed deep expertise in confronting challenges by the Federal Trade Commission to tech company mergers. “It’s no secret that the FTC has adopted an aggressive approach, and these cases can be extremely challenging and rewarding,” he said.

A feature of the FTC’s anti-merger campaign has been its newfound willingness to file cases outside of its traditional venue in Washington, D.C. “They’re exploring other jurisdictions in California and elsewhere,” Obaro said. A result is that judges not ordinarily used to antitrust merger litigation have been called upon to decide cases in an unfamiliar field. “It’s great because it gives new judicial voices a chance to weigh in.”

He added: “There can be a learning curve, but the Northern District of California is one of the best places to practice in the U.S. The judges here are used to high-profile tech cases.”

When the FTC sought to block Meta Platforms Inc.’s acquisition of the virtual reality company Within, Obaro successfully defeated the effort, so the deal could take place. *Federal Trade Commission v. Meta Platforms Inc. et al.*, 5:22-cv-04325 (N.D. Cal., filed July 27, 2022).

The FTC based its opposition on the novel theory that Meta was seeking to dominate an incipient or nascent market. Obaro argued that the theory was speculative at best.

The acquisition was a key pillar of Meta’s strategy to enter the virtual reality space and core to its mission to rebrand Facebook and move it to the metaverse. “It was extremely important to the client to move the deal forward. Thankfully, Judge [Edward J.] Davila sided with us.”

The FTC lost the case and subsequently abandoned its attempt to block the merger in administrative proceedings, too, enabling Meta to close the transaction.

Obaro leads the litigation team representing Microsoft Corp. in overturning FTC challenges to its \$68.7 billion merger with Activision Blizzard Inc. – a deal that set a record for the highest price ever paid by a U.S. tech company. *Federal Trade Commission v. Microsoft Corp. et al.*, 3:23-cv-02880 (N.D. Cal., filed June 12, 2023).

In July 2023, the Weil team defeated the FTC’s injunction after trial, and subsequently convinced the 9th U.S. Circuit Court of Appeals and the Supreme Court to not further stall the deal, though a further appeal is in progress.

“We were able to rise to the challenge,” Obaro said.