

66th Antitrust Law
SPRING
MEETING
April 11-13, 2018

WHERE COMPETITION AND
CONSUMER PROTECTION MEET

Washington, DC | Marriott Marquis
#atspring



Daily Events

Hours	Tuesday April 10	Wednesday April 11	Thursday April 12	Friday April 13
ANTITRUST BOOKSTORE <i>Archives (M4)</i>	5:00 PM – 8:00 PM	7:30 AM – 5:30 PM	7:30 AM – 5:30 PM	7:30 AM – 12:30 PM
CLE INFORMATION DESK	1:00 PM – 8:00 PM	7:30 AM – 5:30 PM	7:30 AM – 5:30 PM	7:30 AM – 12:30 PM
REGISTRATION (Attendees)	1:00 PM – 8:00 PM	7:30 AM – 5:30 PM	7:30 AM – 5:30 PM	7:30 AM – NOON

Conference Tips

- 1 Register early & save.
- 2 Remember to add on the Spring Lunch and Dinner.
- 3 Beat the rush and pick up your badge and conference materials on Tuesday and enjoy Tuesday networking, including our Cocktails with Consumer Protection Party.
- 4 Sign in for CLE upon arrival. NY bar requires attendees to sign in & out of every session. DE & IL state bars must sign in for every session. www.ambar.org/cleattendreport
- 5 Drop by the Fireside Chats with the International Enforcers on the M4 level.
- 6 Update your headshot on the M3 level.
- 7 CLE session seating is on a first-come, first-serve basis.
- 8 Check online for session details and the roster of attendees. The site is updated weekly.
- 9 Network with section leadership, members and colleagues at various functions during the conference.
- 10 Visit the Antitrust Bookstore (M4) to learn more about Section publications and committees.
- 11 Ask questions! Members and staff are ready and willing to help you get active in the Section of Antitrust Law.
- 12 Download the mobile app to receive important messages, access course materials, faculty CVs, note-taking slides and more!

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CHAIR'S WELCOME



Dear Colleague:

Welcome to the 66th Annual Spring Meeting of the ABA Section of Antitrust Law. The Spring Meeting is the largest gathering of competition and consumer protection professionals in the world, with lawyers, economists, academics, enforcers, journalists, and students from around the globe. In 2017, there were more than 3,200 attendees from more than 60 nations. And for good reason: the substance of the sessions, and the knowledge and experience of the speakers, is unequalled. For knowledge about cutting edge issues, networking opportunities, and just plain fun, the Spring Meeting is very much the place to be.

This year, the conference will feature over 65 sessions, including a mock trial, a mock *Daubert* hearing, debate panels, and an array of the most knowledgeable and experienced competition and consumer protection professionals. A few of the highlights:

- **Enforcers Roundtable.** This gathering of leading competition authorities will include the distinguished heads of both U.S. enforcement agencies, the European Commission, NAAG's Multistate Antitrust Task Force, and the UK Competition and Markets Authority. *Friday, 10:00 AM.*
- **Chair's Showcase.** The Chair's Showcase will be a retrospective on the contributions of Judge Richard Posner. A panel of competition luminaries will talk about Judge Posner's contributions to our understanding of mergers, vertical restraints, collusion, remedies, and, most importantly, how an understanding of economics can contribute to fashioning optimal rules of law. *Thursday, 10:15 AM.*
- **Dominance Divergence.** The Section has appointed a Task Force devoted to identifying and understanding whether and why matters involving single firm dominance are treated differently from one nation to the next. The Task Force will present a panel on these issues, followed by fact-gathering sessions in a public setting. *Thursday, 1:30 PM.*
- **Fireside chats with international enforcers.** Throughout the meeting, antitrust enforcers from around the world will hold informative interviews and discussions with former Section Chairs in a close, informal setting located on the M4 level.
- **New IP track.** As in prior years, attendees interested in a particular area will be able to attend "tracks" of programs devoted to particular subjects, and each track will span the entire Spring Meeting. This year, an Intellectual Property track has been added, supplementing the Consumer Protection, International, and Litigation, tracks.

In addition to the diverse programming, the Spring Meeting provides fantastic networking opportunities. Our Marriott Marquis venue, with modern spaces and breakout rooms, is a great place to interact and connect. For many, the Spring Meeting marks the beginning of strong professional relationships and lifelong friendships among the many antitrust and consumer protection attendees. If you are not a current Antitrust Section member, I would encourage you to join and save on your registration rate. By joining, you will also have complimentary access to over 150 telephonic programs throughout the year.

Our Spring Meeting Co-Chairs Debbie Feinstein and Renata Hesse, Vice Chair Becky Valentine, Program Officer Gary Zanfagna, and our remarkable Section Staff have planned an action-packed program. Enjoy and have a great time.

See you in Washington DC!

Jon

A handwritten signature in black ink that reads "Jonathan M. Jacobson". The signature is written in a cursive, slightly slanted style.

Jonathan M. Jacobson

Chair, Section of Antitrust Law | 2017 - 2018

#atspring

Join today & save

ABA MEMBERSHIP

Start maximizing your ABA membership today. Discover more ways to put our many services to work for you.

Benefits

- Enhance your expertise with authoritative information on your specialty or interest.
- Take advantage of important networking opportunities with others who have similar interests.
- Earn CLE credit through CLE conferences, monthly ABA Connection online and teleconference seminars.
- Receive hotel discounts using the ABA Preferred Hotel negotiated rates.
- Receive discounts on travel with American Airlines, Delta Airlines, United Airlines, and Hertz.

SECTION OF ANTITRUST LAW MEMBERSHIP

Enhance your ABA experience by joining the Section of Antitrust Law. Membership in the Section gives you access to colleagues and services that will expand your professional development. Visit www.ambar.org/antitrust to join the section or committee, register for a conference or to view the most current antitrust and consumer protection information.

Benefits

- Enhance your expertise and keep current on antitrust and consumer protection law.
- Access to CONNECT – A collaboration portal for SAL members, which includes industry news, updates, upcoming Section events, an enhanced member directory and much more!
- Receive discounts on conference registration and Section publications.
- Receive the Antitrust Law Journal, Antitrust Magazine and Antitrust Source.
- Access the Searchable Antitrust Library (SAL) of antitrust and consumer protection materials, which are useful for research and casework, as well as view links to current antitrust and consumer protection cases and sites.
- The Antitrust Source, an online magazine produced six times a year.
www.antitrustsource.com
- Enjoy membership in a community of antitrust and consumer protection professionals with diverse interests and practices, including domestic and international government officials.
- Free access to over 150 committee teleconferences/webinars.

COMMITTEE MEMBERSHIP

Join a Section committee or all 29 and connect with like-minded members. Our committees are active groups of professionals who share an interest in a specialized area of the law. Section members can join committees for free.

Benefits of Joining a Committee

- Access the Section's wealth of resources and become engaged personally and professionally with other antitrust and consumer protection specialists.
- Stay informed with committee newsletters and papers providing in-depth analysis of specialized areas and current topics.
- Engage in discussion groups on CONNECT for timely updates and discussion of major developments in antitrust law and consumer protection.
- Enjoy career-advancing opportunities to volunteer for committee initiatives, write for committee publications and speak at events.

QUESTIONS

- Visit www.ambar.org/antitrust or the ABA Staff in the Spring Bookstore.
- Email Deborah Morgan deborah.morgan@americanbar.org for membership questions
- Email Diane Odom diane.odom@americanbar.org for committee questions

PROGRAM AT-A-GLANCE

TUESDAY, APRIL 10, 2018

1:00 – 8:00 PM

REGISTRATION OPEN

3:30 – 5:00 PM

PATHWAYS TO LEADERSHIP

5:00 – 6:00 PM

YOUNG LAWYERS & LAW STUDENT HAPPY HOUR 

5:00 – 8:00 PM

BOOKSTORE OPEN

5:30 – 7:00 PM

COCKTAILS FOR CONSUMER PROTECTION PARTY 

6:00 – 7:00 PM

RECEPTION FOR INTERNATIONAL ENFORCERS  TICKETED EVENT

WEDNESDAY, APRIL 11, 2018

7:30 AM – 5:30 PM

BOOKSTORE & REGISTRATION OPEN

8:30 – 10:30 AM

ANTITRUST ETHICS ... AT THE MOVIES  ETHICS

9:00 – 10:30 AM

AGENCY UPDATE WITH THE U.S. DEPARTMENT OF JUSTICE


9:00 – 10:30 AM

FUNDAMENTALS—CONSUMER PROTECTION 

9:00 – 10:30 AM

GDPR—PAIN POINTS AND ENFORCEMENT RISK 

9:00 – 10:30 AM

INTERNATIONAL PERSPECTIVES: THE SHARING ECONOMY & DISRUPTIVE TECHNOLOGIES  

9:00 – 10:30 AM

LINE DRAWING: APPLYING THE PER SE RULE

9:00 – 10:30 AM

MERGER MANIA

9:00 – 10:30 AM

MULTIPLE VIEWS ON TWO-SIDED MARKETS

9:00 – 10:30 AM

REVERSE PAYMENT SETTLEMENTS: EXPLAINING “LARGE AND UNEXPLAINED”

10:45 AM – NOON

BIG DATA: BIG DEAL OR NO DEAL? 

10:45 AM – NOON

EFFECTIVE ENGAGEMENT: WORKING WITH THE GOVERNMENT

10:45 AM – NOON

ETHICS IN MULTI-JURISDICTIONAL INVESTIGATIONS ETHICS


10:45 AM – NOON

EU GDPR: RIPPLES ACROSS THE ATLANTIC?  

10:45 AM – NOON

FAILING FIRM DEFENSE: SHOP ‘TIL YOU DROP?

10:45 AM – NOON

FUNDAMENTALS – ANTITRUST 

10:45 AM – NOON

SINKING YOUR TEETH INTO NC DENTAL

10:45 AM – NOON

STAYING COMPLIANT AROUND THE GLOBE 

PROGRAM AT-A-GLANCE

WEDNESDAY, APRIL 11, 2018 (CONTINUED)

10:45 AM – NOON

VIEWS FROM THE BENCH—NON-MERGERS 

NOON – 1:30 PM

THE SECTION LUNCHEON (TICKETS AVAILABLE FOR PURCHASE)  TICKETED EVENT

1:45 – 3:15 PM

ACPERA IN CIVIL CASES: THE COOPERATION CONUNDRUM 

1:45 – 3:15 PM

AGENCY UPDATE WITH THE INTERNATIONAL ENFORCERS 

1:45 – 3:15 PM

AN ETHICAL JOURNEY THROUGH E-DISCOVERY  ETHICS DEBATE

1:45 – 3:15 PM

ANTITRUST & FRAND ENFORCEMENT 

1:45 – 3:15 PM

COLLEGE SPORTS—BEYOND PAY

1:45 – 3:15 PM

DO EFFICIENCIES EVER OFFSET POTENTIALLY ANTICOMPETITIVE EFFECTS?

1:45 – 3:15 PM

NARROW-MINDED: THE CURRENT STATE OF MARKET DEFINITION

1:45 – 3:15 PM

PROTECTING CONSUMERS AND COMPETITION—INTERNATIONAL EMERGING TECHNOLOGIES    DEBATE

1:45 – 3:15 PM

VIEWS FROM THE TRENCHES: ANTHEM/CIGNA AND AETNA/HUMANA 


3:30 – 5:00 PM

AROUND THE WORLD SELF-REGULATION STYLE  

3:30 – 5:00 PM

COLLECTIVE REDRESS OUTSIDE THE UNITED STATES  

3:30 – 5:00 PM

DISTINCTIONS WITH DIFFERENCES: CANVASSING CROSS-JURISDICTIONAL ETHICS RULES  ETHICS

3:30 – 5:00 PM

FUNDAMENTALS—ECONOMICS

3:30 – 5:00 PM

KIDS CONNECTED: IOT AND CHILDREN'S PRIVACY 


3:30 – 5:00 PM

MERGERS: DEFINING AND LITIGATING RELEVANT MARKETS 

3:30 – 5:00 PM

NEGOTIATING CARTEL FINES AND CIVIL SETTLEMENT

3:30 – 5:00 PM

PRICE-BOTS: ARE R2D2 AND C3PO TACITLY COLLUDING? 

3:30 – 5:00 PM

PROTECTING BRAND & DISTRIBUTOR INVESTMENT ON THE INTERNET

3:30 – 5:00 PM

SEP AND FRAND: ISSUES AROUND THE WORLD  

5:00 – 6:00 PM

WELCOME RECEPTION @ THE MARQUIS 

6:00 – 7:00 PM

PLAINTIFFS' RECEPTION  TICKETED EVENT

FIRESIDE CHATS WITH FOREIGN ENFORCERS

During selected times on Wednesday and Thursday, our Former Section Chairs will be conducting individual 30-minute interviews with selected enforcement officials from competition agencies around the globe. These informal interviews will be open on a drop-in basis for all Spring Meeting attendees. The final schedule will be posted prior to the Spring Meeting.


PROGRAM AT-A-GLANCE

THURSDAY, APRIL 12, 2018

7:30 AM – 5:30 PM

BOOKSTORE & REGISTRATION OPEN

8:30 – 10:00 AM

BIG IS BAD—OR IS IT? 

8:30 – 10:00 AM

BRIEFING WITH THE STATE ENFORCERS

8:30 – 9:45 AM

INNOVATION AND MERGER CONTROL  

8:30 – 10:00 AM

LAST YEAR TODAY: CONSUMER PROTECTION 2017 

8:30 – 10:00 AM

MOCK DAUBERT HEARING OF PLAINTIFF'S ECONOMIST 

8:30 – 10:00 AM

NET NEUTRALITY: DEJA VU OR A NEW ERA?

8:30 – 10:00 AM

RECENT DEVELOPMENTS IN GLOBAL CLASS ACTIONS 

8:30 – 10:00 AM

THE PRICE IS RIGHT: HOW TO KNOW

10:15 AM – NOON

CHAIR'S SHOWCASE & LIFETIME ACHIEVEMENT AWARD

12:15 – 1:15 PM

LUNCHEON RECEPTION FOR IN-HOUSE COUNSEL  TICKETED EVENT

1:30 – 3:00 PM

ANTITRUST/IP: THE BASICS 

1:30 – 3:00 PM

DIESELGATE-STRATEGIES FOR MULTI-JURISDICTIONAL CP INVESTIGATIONS  

1:30 – 3:00 PM

DOES CRIME PAY? CARTEL FINES AND DAMAGES **DEBATE**

1:30 – 3:00 PM

PROCEEDINGS OF THE DOMINANCE DIVERGENCE TASK FORCE 

1:30 – 3:00 PM

VIEWS FROM THE BENCH—MERGERS 

1:30 – 3:00 PM

WHOSE INTERNET IS IT ANYWAY? 

1:30 – 3:00 PM

YOU'RE HIRED? ANTITRUST AND EMPLOYMENT

1:30 – 5:00 PM

MOCK TRIAL  

3:15 – 5:00 PM

ANTITRUST IN A TIME OF ECONOMIC POPULISM

3:15 – 5:00 PM

EXPLOITATIVE ABUSE: ILLEGAL TO CHARGE TOO MUCH? 

3:15 – 5:00 PM

HOT TOPICS

3:15 – 5:00 PM

INSIDE THE INTEL DECISION  

3:15 – 5:00 PM

IS CARTEL LENIENCY STILL WORTH IT?  

3:15 – 5:00 PM

NO HARM, NO FOUL? VALUING DATA BREACHES 

7:15 – 9:30 PM

SECTION DINNER (TICKETS AVAILABLE FOR PURCHASE)  TICKETED EVENT

FRIDAY, APRIL 13, 2018


7:30 AM – 12:30 PM

BOOKSTORE OPEN

7:30 AM – NOON

REGISTRATION OPEN

8:30 – 9:45 AM

A GUIDE TO REMEDIES IN GLOBAL DEALS 

8:30 – 9:45 AM

AGENCY UPDATE WITH THE FTC BUREAU DIRECTORS

8:30 – 9:45 AM

INTERNATIONAL CARTELS—ARE THEY BEING OVERDETERRED? 

8:30 – 9:45 AM

MOCK TRIAL—MOTION TO DISMISS HACKING SUIT  

8:30 – 9:45 AM

PRICING ABCS: MAPS, UPPS AND MFNS

8:30 – 9:45 AM

WHEN IS MARKET MANIPULATION ANTICOMPETITIVE?

10:00 AM – NOON

ENFORCERS ROUNDTABLE

CONTINUING LEGAL EDUCATION (CLE) AND SIGN IN FOR MCLE (U.S. CLE)

ALL Attendees—Sign-in for CLE upon arrival

DE/IL Attendees—Your state requires you to sign into each session

NY Attendees—You are required by your state to sign in and out of each session

The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, CT, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, ME, MN, MS, MO, MP, MT, NH, NJ, NM, NV, NY, NC, ND, OH, OK, OR, PA, SC, TN, TX, UT, VT, VA, VI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs. This transitional program is approved for both newly admitted and experienced attorneys in NY. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states. For more information about CLE accreditation in your state, visit www.ambar.org/atfallforum

The ABA will report your attendance to states which allow us to do so on your behalf based on your completion of this form.

This includes the following states: Alabama, Delaware, Georgia, Hawaii, Indiana, Kansas, Louisiana, Maine, Mississippi, Montana, North Carolina, New Mexico, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Utah, Washington, West Virginia

Go to <http://ambar.org/CLEattendreport> to complete your request online.

Special rules apply to lawyers from the following states:

Arizona: The State Bar of Arizona does not certify MCLE courses or providers. You must independently review Arizona MCLE regulations and make your own determination as to whether a program qualifies for credit towards your MCLE requirements.

Florida: You are eligible to receive credit for this program through Florida's reciprocity provision. ABA programs are approved in New York and many other states. To have credit for this program posted to your CLE total, email or fax the Uniform Certificate of Attendance and the program agenda to the Florida Bar. View contact information for the Florida Bar. There is no fee for you to use the reciprocity provision.

Idaho: You may self-submit this program for CLE approval by sending the Application for CLE credit to the Idaho State Bar with the required attachments. You can download a copy of the program

brochure/agenda from an ABA program's website, or print a copy of the program web page if no separate brochure available for submission with your application. There is no fee for this submission.

Maine: You are eligible to receive credit for this program through Maine's reciprocity provision that allows credit hours for courses or activities approved by another MCLE state and certified by that state's CLE regulatory authority to be accepted for identical credit by the Maine Board of Overseers of the Bar upon the board's receipt of evidence of such certification as issued by that state, or the ABA Uniform Certificate of Attendance. ABA programs are approved in New York and many other states.

Nebraska: You may self-submit this program for CLE approval after attending the program by logging into your personal MCLE account with the Nebraska MCLE Commission. There is no fee for this submission and a response is generally received within 3-5 days.

New Hampshire: The New Hampshire MCLE Board does not certify MCLE courses or providers. You must self-determine whether a program is eligible for credit, and self-report your attendance online at www.nhbar.org/NHMCLE.

New Jersey: You are eligible for credit for this program under New Jersey reciprocity provision if another state grants credit for it. ABA programs are approved in New York and many other states.

New York: This transitional CLE program is approved for all New York-licensed attorneys in accordance with the requirements of the New York State CLE Board for transitional MCLE credits. Both experienced and newly admitted attorneys may earn New York credit with this program.

Rhode Island: You may self-submit this program for CLE approval online, under Course Accreditation (Appendix D), at the time of attendance reporting. There is no fee for self-submission.

Wyoming: You may self-submit this program for CLE approval within a reasonable time after attending the program by completing Application for CLE credit. This is the same form that is currently required for attendance reporting. There is no fee for self-submission.

REGISTRATION

REGISTER ONLINE TODAY @ www.ambar.org/atspring

DISCOUNTED REGISTRATION CUT-OFF DATE: February 5, 2018



A 2018 Spring Meeting conference badge is required to access the conference floors and social events.

Various registration rates and discounts are available for your convenience. Those registered by **April 10, 2018** will be listed on the online delegate roster and will have advance access to the course materials prior to the conference.

The ABA automatically adjusts registrations submitted at the incorrect rate. Full payment at the correct rate must be received to process CLE and registration. The ABA does not accept wire transfers or purchase orders.

Financial scholarship applications are available for this conference. To request an application or receive additional information, contact: at-registrar@americanbar.org.

ANTITRUST SPRING MEETING 2018

Not an ABA Member? Join now! www.americanbar.org/join

Registration Fees (Rates increase after Feb. 5)	ABA Section of Antitrust Law Member	ABA Non-Section Member*	Non-Member
List Rate	\$895	\$1,095	\$1,295
Academic	\$175	\$300	\$300
Government	\$175	\$300	\$300
Non-Profit	\$175	\$300	\$300
Law Student	\$35	\$40	\$50

The conference registration fee includes: access to the conference floor, CLE sessions, early morning continental breakfast, refreshments, course materials, mobile app, and welcome reception.

Social Event Tickets (Rates increase after Feb. 5)	Luncheon (Wednesday)	Dinner Individual (Thursday)	Dinner Table of 10 (Thursday)
List Rate	\$40	\$125	\$1,250
Academic	\$40	\$85	\$850
Government	\$40	\$85	\$850
Non-Profit	\$40	\$85	\$850
Student	\$40	\$85	\$850

Please update your my.aba.org with any food allergies.

Please email at-registrar@americanbar.org by **March 16** with requests for special assistance or special needs.

TWO WAYS TO REGISTER

Online	www.ambar.org/atspring Online registration closes April 10, 2018 at 10:00 AM CST.	
On-site	Marriott Marquis Mezzanine Foyer Tuesday, April 10 1:00 PM – 8:00 PM Wednesday, April 11 7:30 AM – 5:30 PM Thursday, April 12 7:30 AM – 5:30 PM Friday, April 13 7:30 AM – NOON	

DISCOUNTS/REGISTRATION CATEGORIES

Early Registration	Registrations received by February 5, 2018 will be processed at the advance registration rate.
ABA Antitrust Law Section Members	The registration rate for Antitrust Law Section is reduced for this conference as a member benefit. The discount is reflected on the registration page online.
ABA Members	Become an Antitrust Law Section Member for \$60 and save up to \$200 on your conference registration as a member benefit. Join now and save.
Not an ABA Member	Join now and save by going to www.ambar.org/join
Academics, Government, and Nonprofits	Available for those with a primary position at a government, academic institution (e.g., law firm lawyers who also are adjunct professors would pay the law firm rate) or nonprofit with no for-profit affiliation.
Law Student	Available for law students who have not passed a Bar or practiced law.

CANCELLATIONS

- Prior to **5:00 PM CST, March 28**. In the event of cancellation, a refund of the registration fee, less a \$50.00 administrative fee, will be granted only for written requests received by Patricia Harris (at-registrar@americanbar.org). Please allow four-six weeks processing.
- After March 28: There will be no refunds after this date. Substitutions will be permitted.
- The ABA reserves the right to cancel any conference or portion thereof and assumes no responsibility for personal expenses.

CONFIRMATIONS

Confirmations will be sent electronically within one day of online registration. Please bring the confirmation with you to the conference to pick up your materials.

COURSE MATERIALS

Course materials for each session will be compiled and distributed online prior to the conference. An email containing the link to the course materials and mobile app will be sent out to all registered attendees one week prior to the conference.

RECORDING

No audio recording, photography or videotaping of any part of the conference will be permitted.

REGISTRANT/PARTICIPANT IMAGE AND VOICE AGREEMENT

Registration for, attendance at, or participation in the Spring Meeting and other associated activities constitutes an agreement by the registrant to permit the American Bar Association to use and distribute (both now and in the future) the registrant or participant's image or voice in photographs, videotapes, electronic reproductions, audiotapes of such event and activities.

ROSTER OF PARTICIPANTS

A roster of conference participants is available on the conference website and updated on a weekly basis. Participants must be registered to be listed.

SUBSTITUTIONS

Written requests for substitutions will be permitted prior to the conference for requests received by **April 9**. There is no additional cost for substitutions. Substitutions are not permitted once a registrant has registered on-site or after the conference has occurred. Please submit a request on firm letterhead to transfer the registration to another person. **Only** the substitute will be eligible for CLE credit. The substitute and original registrant must work out the payment between themselves.

QUESTIONS?

Email at-registrar@americanbar.org or phone 312.988.5609 7:30 AM—3:30 PM CST, Monday—Friday. Please note registrations/cancellations are not taken over the phone.

HOTEL INFORMATION

ACCOMMODATIONS CUT-OFF DATE: MARCH 13, 2018

A block of sleeping rooms has been reserved at a discounted rate for Spring Meeting attendees over the evenings of April 10 - 13, 2018. Those individuals booked in the ABA block of rooms for the conference will be eligible to be included in a surprise VIP upgrade or a complimentary room night.

Make your reservations early as rooms often sell out prior to the cut-off date.



MARRIOTT MARQUIS HOTEL— Headquarter Hotel

<http://www.marriott.com/hotels/travel/wasco-marriott-marquis-washington-dc>

901 Massachusetts Ave NW
Washington, DC 20001

Phone: 202.824.9200

Single/Double Room **\$376.00 + tax**

Hamilton

1001 14th Street NW
Washington, DC 20004
Phone: 202.682.0111
www.hamiltonhoteldc.com
Single/Double Room **\$249.00 + tax**
Government rate

Hotel Monaco

700 F Street NW
Washington, DC 20004
Phone: 202.628.7177
<http://www.monaco-dc.com>
Single/Double Room **\$355.00 + tax**

The W

515 15th St. NW
Washington, DC 20004
Phone: 202.661.2400
www.washingtondc.com
Single/Double Room **\$429.00 + tax**

The Willard

1401 Pennsylvania Ave NW
Washington, DC 20004
Phone: (202) 628-9100
<http://washington.intercontinental.com>
Single/Double Room **\$429.00 + tax**

RESERVATION POLICIES

- Room reservations must be made directly with the Hotel. Rates do not apply if booked through travel agents or third parties.
- Please indicate that you are attending the **ABA Spring Meeting** to receive the indicated conference rates and priority reservations so you don't get walked in the event the Hotel is overbooked.
- After the cut-off date, or when the room block is sold out, guest rooms at the special conference rate will be subject to availability and cannot be guaranteed at the special ABA rate.
- All reservations shall be guaranteed by credit card or deposit check.
- The hotel shall email a written confirmation within five days from the date on which the reservation is made.
- Cancellations are permitted up until 72 hours prior to the scheduled date of arrival. A one-night cancellation charge will apply within 72 hours.
- Rooms shall be available for check-in no later than 4:00 pm with a noon check-out time.
- Guests will be individually responsible for payment of their own rooms, taxes, and incidental charges.

TRAVEL INFORMATION

TRAVEL INFORMATION

Individuals are responsible for making their own travel arrangements.

AIR TRAVEL

The Spring Meeting Hotels are conveniently located near three major area airports. All airlines offer a full range of domestic and international flights.

Detailed information and travel tips can be located on the Metropolitan Washington Airports Authority site at www.metwashairports.com

Reagan National (DCA)	5 miles – 20 minutes away
Dulles International (IAD)	28 miles – 45 minutes away
Baltimore-Washington Int'l (BWI)	32 miles – 50 minutes away

We encourage you to use the ABA Online Travel site to receive ABA airfare discounts and to view and purchase other low fare options including web fares. Visit www.americanbar.org/travel for more information.

ABA discounts can also be obtained directly from the carrier:

American	ABA Discount only available at Egencia
Delta	800-328-1111 ABA File Global Meeting Code: NMR3V Discount available at www.delta.com Click Advance Search and enter Online Meeting Event Code: NMR3V in the Meeting Event Code .
United	800-426-1122 For ABA Meetings Only Agreement Code: 633818 / Z Code: ZE6X Discount available at www.united.com Click All Search Options and enter Online Discount Code: ZE6X633818 in the Promotions and Certificates box. Not for Leisure Travel

Please check the TSA site for updates and travel tips on www.tsa.gov. The site also has information for travelers flying to the United States.

INTERNATIONAL TRAVELERS

- International travelers should check to ensure their passports and visas are current.
- Detailed information is available on the U.S. State Department site at www.state.gov/travel.
- If traveling from outside the U.S., to attend an ABA conference, please verify the requirements to enter the U.S.
- The following sites are recommended for international attendees making travel arrangements to the United States.

U.S. State Department	www.state.gov/travel
U.S. Customs and Border Protection	www.cbp.gov
TSA What to Know Before You Go	www.tsa.gov

LOCAL DC TRAVEL

Metro The metro rail and metro bus provide safe, clean, and efficient public transportation when getting around Washington, DC and the metropolitan suburbs.

Rail Travel Union Station is 5-10 minutes from the Marriott Marquis, National Press Club and the overflow hotels. Train service is a convenient option if you reside in nearby states such as Delaware, Pennsylvania, New Jersey, or New York.

Taxi Service Washington, DC, Virginia, and Maryland taxicabs are readily available throughout Washington, DC at the airport terminals and Union Station.

Dispatchers are available at the terminal/station exits to assist passengers.

TRAVEL INFORMATION

ADDITIONAL INFORMATION

Attire Dress at the Spring Meeting is traditional business attire.

Coat Check A complimentary coat check will be available at the Marriott Marquis on the M2 & M4 levels.

Credit Cards American Express, MasterCard, and Visa will be accepted at the Registration Desk. Most hotels, large restaurants, and shops will accept international credit cards, the most widely recognized being American Express, Diners Club, MasterCard, and Visa.

Dining Restaurant recommendations are available online at www.washingtonpost.com/gog/dc-restaurants.html. Reservations can be made through your hotel concierge or online at www.opentable.com.

Electricity The electricity used in Washington, DC, is standard electricity, which is 110 volts. European appliances will require a voltage transformer.

Smoking For the comfort and health of all attendees, smoking is not permitted at any ABA Section of Antitrust Law functions. This includes educational sessions and all hospitality functions and/or areas. Please note that DC restaurants and the guest rooms at the Marriott Marquis are smoke free.

Tippling Tipping is voluntary; gratuities are not automatically added to the bill (unless specifically stated). Servers are usually given 18-20% of the bill. Taxi drivers usually receive 15% of the fare, doormen, skycaps and porters are usually tipped \$1-\$2 per bag.

SECTION PUBLICATIONS

Receive a 10% discount on all books purchased on-site.

The ABA Section of Antitrust Law has long been known as the most trusted name in legal publishing with respect to antitrust law, and its active committees and editorial boards produce multiple new titles each year.

Featured Publications

Stop by the Antitrust Bookstore at the Spring Meeting to review and order the following:

- 2017 Annual Review of Antitrust Law Developments
- Antitrust Law Developments, Eighth Edition
- Advertising Claim Substantiation Handbook
- Cartel Law Basics for Executives
- Class Action Handbook
- Energy Antitrust Handbook, Third Edition
- Handbook on Antitrust in Technology Industries
- Healthcare Mergers & Acquisitions Handbook
- Pharmaceutical Industry Handbook
- State Antitrust Enforcement Handbook, Third Edition

The Section is committed to the highest standards of scholarship and continuing legal education. To that end, each work is drafted and edited by leading experts and rigorously peer-reviewed by the Section's Books and Treatises Committee, at least two Council members, and other Officers and experts.

ANTITRUST BOOKSTORE (Archives, M4 Level)

- View the Section of Antitrust Law library of publications.
- Join the ABA, Section, and/or Section's committees.
- View the various committee newsletters.
- Great place for a cup of coffee



SCHEDULE OF EVENTS - TUESDAY

TUESDAY, APRIL 10, 2018

1:00 – 8:00 PM

REGISTRATION OPEN

2nd Floor Mezzanine

Registration will be one level above the lobby. Badges will be required to access the conference meeting space. Individuals on conference floors without 2018 Spring Meeting badges will be billed accordingly.

3:30 – 5:00 PM

PATHWAYS TO LEADERSHIP

Presented by the Membership & Diversity Committee

Interested in becoming a leader in antitrust and consumer protection law? Seeking ways to enhance your career and grow professionally? Get tips and pointers from Section leaders as they share their pathways to success, including strategies for using Section membership to enhance and develop your career.

SESSION CHAIR/ MODERATOR:

Rani HABASH, Dechert LLP, Washington, DC

SPEAKERS:

- Daniel BLYNN, Venable LLP, Washington, DC
- F. Joseph GORMLEY, Gormley Jarashow Bowman LLC, Annapolis, MD
- Leslie C. OVERTON, Alston & Bird LLP, Washington, DC
- Melissa M. WHITEHEAD, Tach au Meek PLC, Louisville, KY

5:00 – 6:00 PM

YOUNG LAWYERS & LAW STUDENT HAPPY HOUR

Have you been practicing for fewer than 10 years? Are you a law student? Then pick up your Spring Meeting badge and join us as we kick off the start of the Spring Meeting. This is a great opportunity to meet other young lawyers, Section Officers, and the Leadership of the Membership & Diversity Committee.

5:00 – 8:00 PM

BOOKSTORE OPEN

5:30 – 7:00 PM

COCKTAILS FOR CONSUMER PROTECTION PARTY

Does your area of concentration include privacy law and/or consumer protection? Are you interested in learning more about this rising practice area? Even if you would just like to join us for a cocktail after you register, stop by and get to know more about this area of Section activity with our three CP committees. This is a great way to kick-off your Spring Meeting festivities.

6:00 – 7:00 PM

RECEPTION FOR INTERNATIONAL ENFORCERS TICKETED EVENT

International enforcement officials are invited to a pre-conference reception with the Section Officers and Council to mingle and learn more about the Section. A ticket to attend will be included in the registration materials for all international enforcers registered for the Spring Meeting.

WEDNESDAY, APRIL 11, 2018

7:30 AM – 5:30 PM

BOOKSTORE & REGISTRATION OPEN

8:30 – 10:30 AM

ANTITRUST ETHICS ... AT THE MOVIES ETHICS

Presented by the Compliance & Ethics Committee and International Cartel Task Force

Bring your popcorn. Movie clips, viral videos, and news feeds will be used to explore frequently encountered antitrust ethics issues, including protecting client confidences and data, conflicts of interest, defining and ending client relationships, attorney marketing rules, email communication, settlements, and more.

SESSION CHAIR/MODERATOR:

Douglas M. TWEEN, Linklaters LLP, New York, NY

SPEAKERS:

- Timothy HOWE, Competition Program Manager & Group Lead Lawyer, Cargill Inc., Minneapolis, MN
- Craig LEE, Baker McKenzie, Washington, DC
- Deidre E. MCEVOY-CAPPOCK, Lead U.S. Antitrust & Regulatory Counsel, Siemens Corporation, New York, NY
- Thomas MORGAN, George Washington University, Naples FL



Consumer Protection Track



Intellectual Property



International Track



Litigation Track



Networking Function

SCHEDULE OF EVENTS - WEDNESDAY

9:00 - 10:30 AM

AGENCY UPDATE WITH THE U.S. DEPARTMENT OF JUSTICE

Presented by the Federal Civil Enforcement Committee

Spring Meeting would not be complete without hearing from the U.S. Department of Justice Antitrust Division Deputy Assistant Attorneys General about the latest in civil enforcement, cartel cases, and policy initiatives. With the change of administration, there will be many new faces and possibly new perspectives represented in this session.

SESSION CHAIR:

Shylah R. ALFONSO, Perkins Coie LLP, Seattle, WA

MODERATOR:

Deborah A. GARZA, Covington & Burling LLP, Washington, DC

SPEAKERS:

- Roger P. ALFORD, Deputy Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
- Andrew C. FINCH, Principal Deputy Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
- Luke M. FROEB, Deputy Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
- Donald G. KEMPF, Deputy Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
- Bernard A. NIGRO, Deputy Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
- Marvin N. PRICE, Acting Deputy Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC

9:00 - 10:30 AM

FUNDAMENTALS—CONSUMER PROTECTION

Presented by the Consumer Protection and Privacy & Information Security Committees

Learn the fundamentals of U.S. consumer protection law, including the basics of false and deceptive advertising, claim substantiation, marketing law, and privacy and data security. This session will also provide an introduction to federal, state, and private enforcement of consumer protection statutes and rules.

SESSION CHAIR/MODERATOR:

Ilunga L. KALALA, Kelley Drye & Warren LLP, Washington, DC

SPEAKERS:

- Joanna BOLTON, Legal Director, Dell Incorporated, Atlanta, GA
- Mark L. GLASSMAN, Attorney, Federal Trade Commission, Washington, DC
- Jon LEIBOWITZ, Davis Polk & Wardwell LLP, Washington, DC
- Shahin O. ROTHERMEL, Venable LLP, Washington, DC

9:00 - 10:30 AM

GDPR—PAIN POINTS AND ENFORCEMENT RISK

Presented by the Consumer Protection and Privacy & Information Security Committees

The General Data Protection Regulation, which becomes effective in May, is the most sweeping change to the data protection landscape in the past 20 years. Every organization that does business in the EU or with EU citizens is impacted and penalties for violations will be steep. This panel will discuss immediate steps companies should be taking to avoid becoming an easy enforcement target.

SESSION CHAIR/MODERATOR:

Dana B. ROSENFELD, Kelley Drye & Warren LLP, Washington, DC

SPEAKERS:

- Jan DHONT, Alston & Bird LLP, Brussels
- Maureen COONEY, Head of Privacy, Sprint Corporation, Reston, VA
- Maarten STASSEN, Crowell & Moring LLP, Brussels
- Thomas F. ZYCH, Thompson Hine LLP, Cleveland, OH



SCHEDULE OF EVENTS - WEDNESDAY

9:00 – 10:30 AM

INTERNATIONAL PERSPECTIVES: THE SHARING ECONOMY & DISRUPTIVE TECHNOLOGIES

Presented by the Consumer Protection, Media & Technology and Transportation & Energy Industries Committees

A fresh, global update on how innovative and disruptive technologies in diverse sectors, such as transportation and lodging, are dramatically reshaping the ways in which businesses compete and consumers engage in the economy. Can innovation be encouraged, while consumers are protected? What competition issues are raised? How should agencies respond?

SESSION CHAIR/MODERATOR:

Elizabeth F. KRAUS, Deputy Director for International Antitrust, Federal Trade Commission, Washington, DC

SPEAKERS:

- Roger FEATHERSTON, Commissioner, Australian Competition and Consumer Commission, Canberra
- Aaron HOAG, Chief of the Technology & Financial Services Section, U.S. Department of Justice, Antitrust Division, Washington, DC
- Gail LEVINE, Head of U.S. Regulatory Affairs, Uber Technologies Incorporated, Washington, DC
- Darrell L. WILLIAMS, Charles River Associates, Los Angeles, CA

9:00 – 10:30 AM

LINE DRAWING: APPLYING THE PER SE RULE

Presented by the Corporate Counseling, Federal Civil Enforcement, and Joint Conduct Committees

Is the line between per se illegal conduct and that governed by the rule of reason clear cut? How have new technologies and new ways of doing business muddied those waters? What is the current status of Section 1 enforcement and what trends are apparent?

SESSION CHAIR/MODERATOR:

Adam J. BIEGEL, Alston & Bird LLP, Washington, DC

SPEAKERS:

- Beau BUFFIER, Chief, Antitrust Bureau, Economic Justice Division Office of the Attorney General, New York, NY
- Jonathan I. GLEKLEN, Arnold & Porter Kaye Scholer LLP, Washington, DC
- Shana WALLACE, Indiana University Maurer School of Law, Bloomington, IN

9:00 – 10:30 AM

MERGER MANIA

Presented by the Mergers & Acquisitions and State Enforcement Committees

Mergers, mergers everywhere. What happens when both state and federal antitrust enforcers are interested in reviewing my proposed transaction? How do I keep everyone happy without slowing down the process? Panelists will offer guidance and practical advice for dealing with confidentiality issues, the waiver process and coordinating an orderly review when dealing with multiple enforcers.

SESSION CHAIR/MODERATOR:

Lizabeth A. BRADY, Chief, Multistate Antitrust Enforcement, Antitrust Division, Office of the Attorney General, Tallahassee, FL

SPEAKERS:

- Beth A. FINNERTY, Assistant Section Chief—Antitrust Section, Office of Ohio Attorney General, Columbus, OH
- Ryan KANTOR, Assistant Chief, Healthcare and Consumer Products Section, U.S. Department of Justice, Antitrust Division, Washington, DC
- Mark SEIDMAN, Deputy Assistant Director—Mergers IV, Bureau of Competition, Federal Trade Commission, Washington, DC
- Robert B. WARK, Vice President & Deputy General Counsel, American Airlines, Dallas, TX

9:00 – 10:30 AM

MULTIPLE VIEWS ON TWO-SIDED MARKETS

Presented by the Insurance & Financial Services Committee

The AmEx decision has focused attention on two-sided markets. But what markets should be considered two-sided, and should courts balance the competitive effects in the two markets? If so, how should the multiple effects be weighed?

SESSION CHAIR/MODERATOR:

Gary W. KUBEK, Debevoise & Plimpton LLP, New York, NY

SPEAKERS:

- Nicholas S. ECONOMIDES, New York University Leonard N. Stern School of Business, New York, NY
- David S. EVANS, Global Economics Group, Boston, MA
- Patricia V. GALVAN, Deputy Assistant Director, Mergers III, Federal Trade Commission, Washington, DC
- MJ MOLTENBREY, Paul Hastings LLP, Washington, DC



Consumer Protection Track



Intellectual Property



International Track



Litigation Track



Networking Function

SCHEDULE OF EVENTS - WEDNESDAY

9:00 – 10:30 AM

REVERSE PAYMENT SETTLEMENTS: EXPLAINING “LARGE AND UNEXPLAINED”

Presented by the Antitrust Magazine and Health Care & Pharmaceuticals Committee

In *Actavis*, the Supreme Court ruled that a “large and unexplained” payment from brands to generics may be evidence of anticompetitive conduct. This panel will examine post-*Actavis* lower-court decisions that have shed contradictory views, probing issues such as expected litigation costs, expected profits from continued sales, and the value of contemporaneous business transactions.

SESSION CHAIR/MODERATOR:

Lisa A. Jose FALES, Venable LLP, Washington, DC

SPEAKERS:

- C. Scott HEMPHILL, New York University School of Law, New York, NY
- John H. JOHNSON, Edgeworth Economics LLC, Washington DC
- Peter KOHN, Faruqi & Faruqi LLP, Jenkintown, PA
- Markus H. MEIER, Assistant Director, Bureau of Competition, Federal Trade Commission, Washington, DC
- Karen N. WALKER, Kirkland & Ellis LLP, Washington, DC

10:45 AM – NOON

BIG DATA: BIG DEAL OR NO DEAL?

Presented by the International Task Force and Media & Technology Committee

Amassing big data and using algorithms to process them has drawn the attention of global anti-trust and consumer protection regulators—with differing views of the risks (even while some use it themselves, to detect anticompetitive behavior). This panel will discuss the interplay of relevant antitrust and consumer protection principles in the global context.

SESSION CHAIR:

Logan M. BREED, Hogan Lovells US LLP, Washington, DC

MODERATOR:

James R. MODRALL, Norton Rose Fulbright LLP, Brussels

SPEAKERS:

- Susan CREIGHTON, Wilson Sonsini Goodrich & Rosati PC, Washington, DC
- The Honorable Terrell MCSWEENEY, Commissioner, Federal Trade Commission, Washington, DC
- Cyril RITTER, Lawyer, European Commission, DG Competition, Brussels
- Nikhil SHANBHAG, Director, Competition and Telecommunications Law, Facebook, Palo Alto, CA

10:45 AM – NOON

EFFECTIVE ENGAGEMENT: WORKING WITH THE GOVERNMENT

Presented by the Federal Civil Enforcement and Health Care & Pharmaceuticals Committees

This session will address practical issues that arise when approaching the government about a proposed transaction. The panelists will address what works and what doesn't when engaging with the government and provide tips and tools for sharing complex analyses and preparing clients for the investigatory process.

SESSION CHAIR/MODERATOR:

Sonia K. PFAFFENROTH, Arnold & Porter Kaye Scholer LLP, Washington, DC

SPEAKERS:

- Stephanie A. FLEMING, Assistant Chief, Defense, Industrials and Aerospace Section, U.S. Department of Justice, Antitrust Division, Washington, DC
- Kevin HAHM, Deputy Assistant Director, Mergers IV Division, Federal Trade Commission, Washington, DC
- Nicholas HILL, Bates White Economic Consulting, Washington, DC

10:45 AM – NOON

ETHICS IN MULTI-JURISDICTIONAL INVESTIGATIONS **ETHICS**

Presented by the Cartel & Criminal Practice, Civil Practice & Procedure, and Compliance & Ethics Committees

What are the ethical obligations when conducting a multi-jurisdictional internal investigation? What issues arise when dealing with a company versus individuals? What issues could you face related to confidentiality and disclosure obligations? How do you manage different stakeholders? How do you navigate differences in privilege? What local rules should you keep in mind?

SESSION CHAIR/MODERATOR:

Tiffany RIDER, Skadden Arps Slate Meagher & Flom LLP, Washington, DC

SPEAKERS:

- D. Jarrett ARP, Gibson Dunn & Crutcher LLP, Washington, DC
- Megan DIXON, Hogan Lovells US LLP, San Francisco, CA
- Mark R. ROSMAN, Wilson Sonsini Goodrich & Rosati PC, Washington, DC
- John F. TERZAKEN, Simpson Thatcher & Bartlett LLP, Washington, DC

SCHEDULE OF EVENTS - WEDNESDAY

10:45 AM - NOON

EU GDPR: RIPPLES ACROSS THE ATLANTIC?

Presented by the Consumer Protection, International, and Privacy & Information Security Committees

This panel will examine the impact of the EU General Data Protection Regulation in the United States. How does the GDPR compare to U.S. privacy law? Will the GDPR affect the practices of U.S. businesses vis-à-vis U.S. consumers? Will the enhanced rights and prospect of reinvigorated EU enforcement affect how the FTC approaches privacy enforcement or have other impact on developments in U.S. law?

SESSION CHAIR/MODERATOR:

Janis C. KESTENBAUM, Perkins Coie LLP, Washington, DC

SPEAKERS:

- Julie S. BRILL, Corporate Vice President and Deputy General Counsel for Global Privacy & Regulatory Affairs, Microsoft Corporation, Redmond, WA
- James HALPERT, DLA Piper, Washington, DC
- Hugh STEVENSON, Deputy Director for Consumer Protection, Office of International Affairs, Federal Trade Commission, Washington, DC

10:45 AM - NOON

FAILING FIRM DEFENSE: SHOP 'TIL YOU DROP?

Presented by the Federal Civil Enforcement and Mergers & Acquisitions Committees

An anticompetitive deal is preferable to a failed firm. That is the policy underlying the failed firm defense. Given the insulating power of this affirmative defense, parties must meet a high bar to prove it. With recent transactions showing the success and failure of this defense, the panel will provide a variety of perspectives on how and when this defense could be successful.

SESSION CHAIR/MODERATOR:

Ian R. CONNER, Acting Deputy Director, Bureau of Competition, Federal Trade Commission, Washington, DC

SPEAKERS:

- Greg EASTMAN, Cornerstone Research, Washington, DC
- Julie S. ELMER, Trial Attorney, U.S. Department of Justice, Antitrust Division, Washington, DC
- Michael S. MCFALLS, Ropes & Gray LLP, Washington, DC
- Andrea MURINO, Goodwin Procter LLP, Washington, DC

10:45 AM - NOON

FUNDAMENTALS - ANTITRUST

Presented by the Intellectual Property Committee

Learn antitrust fundamentals from a panel of experienced practitioners with perspectives from government and private practice. This session is essential for less-experienced competition lawyers and anyone else who desires a refresher.

SESSION CHAIR/ MODERATOR:

Jennifer K. SCHWAB, Attorney Advisor to Commissioner Terrell McSweeney, Federal Trade Commission, Washington, DC

SPEAKERS:

- Christopher B. HOCKETT, Davis Polk & Wardwell LLP, Menlo Park, CA
- Karen M. KAZMERZAK, Sidley Austin LLP, Washington, DC
- Eric MAHR, Washington, DC
- Brent C. SNYDER, Chief Executive Officer, Competition Commission, Hong Kong

10:45 AM - NOON

SINKING YOUR TEETH INTO NC DENTAL

Presented by the Compliance & Ethics, Exemptions & Immunities, and Joint Conduct Committees

Following the Supreme Court's decision in NC Dental, federal and state governments are exploring various options for how licensing boards conduct must be supervised. This panel will provide a multi-pronged perspective on the steps licensing board participants and states must take to remain compliant with federal antitrust laws and related legislation moving forward.

SESSION CHAIR/MODERATOR:

Patricia A. CONNERS, Chief Deputy, Office of the Attorney General, Tallahassee, FL

SPEAKERS:

- Sarah O. ALLEN, Senior Assistant Attorney General/Unit Manager, Office of the Attorney General, Richmond, VA
- Dale ATKINSON, Federation of Associations of Regulatory Boards (FARB), Northbrook, IL
- Jarod BONA, Bona Law PC, La Jolla, CA
- Tara I. KOSLOV, Acting Director, Office of Policy Planning, Federal Trade Commission, Washington, DC

SCHEDULE OF EVENTS - WEDNESDAY

10:45 AM - NOON

STAYING COMPLIANT AROUND THE GLOBE

Presented by the Compliance & Ethics Committee

Coping with divergent competition rules, enforcement regimes, and levels of legal risk pose significant challenges to global companies. The panel will be based on a hypothetical in which the moderator/client holds a global business meeting and proposes a series of business growth plans across several jurisdictions to a panel of regional compliance experts.

SESSION CHAIR/MODERATOR:

Anita BANICEVIC, Davis Ward Phillips & Vineberg, Toronto

SPEAKERS:

- Karan S. CHANDHIK, Chandhiok & Associates, New Dehli
- Michael G. EGGE, Latham & Watkins LLP, Washington, DC
- Michael HAN, Fangda Law, Beijing
- Stephen KINSELLA, Sidley Austin LLP, Brussels

10:45 AM - NOON

VIEWS FROM THE BENCH—NON-MERGERS

Presented by the Global Private Litigation and Unilateral Conduct Committees

Antitrust laws require fact finders to engage in heavily fact-specific balancing of the harms/benefits of often complex business practices. The difficulty of such balancing and risk of false positives has resulted in a proliferation of short-cut doctrines, including: per se rules, market share screens, standing and pleading requirements, and limits on permissible inferences from certain evidence. As a practical matter, how do Courts approach such cases and how does this compare to other laws that require a balancing test or determination of reasonableness? What can advocates do to more effectively present such cases before the Courts?

SESSION CHAIR/MODERATOR:

Ilene KNABLE GOTTS, Wachtell Lipton Rosen & Katz, New York, NY

SPEAKERS:

- The Honorable Colleen KOLLAR-KOTELLY, U.S. District Judge, U.S. District Court for the District of Columbia, Washington, DC
- The Honorable Katherine FORREST, U.S. District Judge, U.S. District Court for the Southern District of New York, New York, NY

NOON - 1:30 PM

THE SECTION LUNCHEON (TICKETS AVAILABLE FOR PURCHASE) TICKETED EVENT

Join us as a panel of competition all-stars debates whether antitrust goals would be achieved more effectively, and whether income inequality would or should be addressed. Is there a need for significantly greater anti-merger enforcement?

SECTION CHAIR:

Jonathan M. JACOBSON, Wilson Sonsini Goodrich & Rosati PC, New York, NY

MODERATOR:

Stephen CALKINS, Wayne State University Law School, Northville, NY

SPEAKERS:

- Gene KIMMELMAN, Public Knowledge, Washington, DC
- Geoff MANNE, Executive Director, International Center of Law & Economics, Portland, OR
- Diana L. MOSS, President, American Antitrust Institute, Washington, DC
- Timothy J. MURIS, Sidley Austin LLP, Washington, DC

1:45 - 3:15 PM

ACPERA IN CIVIL CASES: THE COOPERATION CONUNDRUM

Presented by the Global Private Litigation and Trial Practice Committees

ACPERA offers substantial benefits to leniency recipients if they cooperate with the U.S. private plaintiffs. But various tensions create challenges here and abroad for parties, courts and prosecutors. Prosecutors and civil parties often disagree about when cooperation must commence and how much cooperation is required. Learn how to wrestle with the difficult choices ACPERA presents to litigants.

SESSION CHAIR/MODERATOR:

John ROBERTI, Allen & Overy LLP, Washington, DC

SPEAKERS:

- Roxann E. HENRY, Morrison & Forrester LLP, Washington, DC
- Amy B. MANNING, McGuireWoods LLP, Chicago, IL
- Bruce L. SIMON, Pearson Simon & Warshaw LLP, San Francisco, CA
- Bonny E. SWEENEY, Hausfeld LLP, San Francisco, CA

SCHEDULE OF EVENTS - WEDNESDAY

1:45 – 3:15 PM

AGENCY UPDATE WITH THE INTERNATIONAL ENFORCERS

Presented by the Federal Civil Enforcement and International Committees

Hear the latest in enforcement and policy from a cross-section of our international antitrust community.

SESSION CHAIR/MODERATOR:

Fiona A. SCHAEFFER, Milbank Tweed Hadley & McCloy, New York, NY

SPEAKERS:

- Lynda K. MARSHALL, Section Chief, Foreign Commerce Section, U.S. Department of Justice, Antitrust Division, Washington, DC
- Andreas MUNDT, President & Chair ICN, The Bundeskartellamt, Bonn
- Randolph W. TRITELL, Director, Office of International Affairs, Federal Trade Commission, Washington, DC
- Augustine PETER, Member, Competition Commission of India, New Delhi

1:45 – 3:15 PM

AN ETHICAL JOURNEY THROUGH E-DISCOVERY ETHICS DEBATE

Presented by the Compliance & Ethics and Trial Practice Committees

The e-Discovery world is dynamic. What does the ever-changing world of e-Discovery mean for our ethical responsibilities in responding to discovery requests? Join our panel for a wide-ranging discussion of how to meet the ethical challenges that today's litigants face.

SESSION CHAIR/MODERATOR:

Charles C. MOORE, White & Case LLP, Washington, DC

SPEAKERS:

- Nathaniel HUBER-FLIFLET, Navigant Consulting Inc, Washington, DC
- James J. PIZZIRUSSO, Hausfeld LLP, Washington, DC
- Katrina ROBSON, O'Melveny & Myers LLP, Washington, DC

1:45 – 3:15 PM

ANTITRUST & FRAND ENFORCEMENT

Presented by the Competition Torts, Intellectual Property, and Media & Technology Committees
Patent owners who contribute technology to collaborative standards often agree to license their technology on fair, reasonable and nondiscriminatory terms. However, parties may not always agree on the terms of a FRAND license. What legal options are available to standard-essential patent owners and firms utilizing their technology when negotiations reach an impasse?

SESSION CHAIR/MODERATOR:

Lisa KIMMEL, Crowell & Moring LLP, Washington, DC

SPEAKERS:

- Reiko AOKI, Commissioner, Japan Fair Trade Commission, Tokyo
- Nicholas BANASEVIC, Head of Unit, European Commission, DG Competition, Brussels
- James G. KRESS, Baker Botts LLP, Washington, DC
- Edith RAMIREZ, Hogan & Lovells US LLP, Washington, DC

1:45 – 3:15 PM

COLLEGE SPORTS—BEYOND PAY

Presented by the Trade, Sports & Professional Associations Committee

Panelists will discuss "then go beyond" the landmark O'Bannon and Jenkins cases to highlight how antitrust is only starting with its role in college sports. Among other things, an athlete's education and ability to transfer will be discussed in this crucial debate among practitioners and collegiate athletics stakeholders.

SESSION CHAIR/MODERATOR:

Creighton J. MACY, Baker McKenzie, Washington, DC

SPEAKERS:

- Amadou KILKENNY-DIAW, Ruyak Cherian, Washington, DC
- Amy P. PERKO, Chief Executive Officer, Knight Commission on Intercollegiate Athletics, Fayetteville, NC
- Jon SOLOMON, Editorial Director, Aspen Institute Sports & Society Program, Washington, DC
- Lauren J. STIROH, NERA Economic Consulting, White Plains, NY



SCHEDULE OF EVENTS - WEDNESDAY

1:45 – 3:15 PM

DO EFFICIENCIES EVER OFFSET POTENTIALLY ANTICOMPETITIVE EFFECTS?

Presented by the Economics, Federal Civil Enforcement, and Mergers & Acquisitions Committees
Merger decisions, such as UPS/TNT in Europe or Anthem/Cigna and Staples/Office Depot in the US, appear to make an efficiencies defense for a merger almost unattainable before the agencies or in litigation. How much do they matter in an investigation? Is the burden higher than in monopolization and vertical restraints? Do courts and agencies consider them a synonym of “consumer welfare”?

SESSION CHAIR:

Gerald A. STEIN, Senior Attorney, Federal Trade Commission, New York, NY

MODERATOR:

Joshua D. WRIGHT, George Mason University Antonin Scalia Law School, Washington, DC

SPEAKERS:

- Jeffrey W. BRENNAN, McDermott Will & Emery LLP, Washington, DC
- David DRANOVE, Northwestern University, Kellogg School of Management, Evanston, IL
- W. Robert MAJURE, Director of Economics, U.S. Department of Justice, Antitrust Division, Washington, DC
- Margaret F. SANDERSON, Charles River Associates, Toronto

1:45 – 3:15 PM

NARROW-MINDED: THE CURRENT STATE OF MARKET DEFINITION

Presented by the Corporate Counseling, Federal Civil Enforcement, and Mergers & Acquisitions Committees

Recent merger challenges arguing price discrimination markets defined by a particular type of customer are no longer novel. Markets that parties may see as highly fragmented; the agencies may define more narrowly. What can merging parties do to better prepare to defend against narrowly defined markets for targeted customers and offer more compelling remedies?

SESSION CHAIR/MODERATOR:

Margaret A. WARD, Jones Day, Palo Alto, CA

SPEAKERS:

- Mary COLEMAN, Compass Lexecon LLC, Boston, MA
- Caroline LAISE, Assistant Chief, Transportation, Energy and Agriculture Section, U.S. Department of Justice, Antitrust Division, Washington, DC
- Juan RODRIGUEZ, Sullivan & Cromwell LLP, London
- Joshua H. SOVEN, Gibson Dunn & Crutcher LLP, Washington, DC

1:45 – 3:15 PM

PROTECTING CONSUMERS AND COMPETITION—INTERNATIONAL EMERGING TECHNOLOGIES **DEBATE**

Presented by the Consumer Protection, International, and Media & Technology Committees

Regulatory frameworks on consumer protection and data privacy have advanced in recent years, but have they kept pace with the dynamic changes in emerging technologies? How does the use of data by FinTechs, digital platforms, and others impact the marketplace? Do regulators need to do anything different? If so, how should they respond?

SESSION CHAIR/SPEAKER:

Robert MAHINI, Senior Counsel, Google Incorporated, Washington, DC

MODERATOR:

Deon WOODS BELL, Senior International Attorney, Federal Trade Commission, Washington, DC

SPEAKERS:

- Winston MAXWELL, Hogan Lovells LLP, Paris
- Shaundra WATSON, Director, Policy, Business Software Alliance, Washington, DC
- Stephen Kai-yi WONG, Privacy Commissioner for Personal Data, Hong Kong

1:45 – 3:15 PM

VIEWS FROM THE TRENCHES: ANTHEM/CIGNA AND AETNA/HUMANA

Presented by the Health Care & Pharmaceuticals and Merger & Acquisitions Committees

Anthem and Aetna—two of the nation’s largest health insurers—put antitrust principles to the test by proposing acquisitions that would change the competitive landscape in health care. This panel explores the most significant aspects of the Anthem/Cigna and Aetna/Humana merger decisions, including market definition, “litigating the fix,” and the validity of countervailing power as a defense.

SESSION CHAIR/MODERATOR:

Douglas C. ROSS, Davis Wright Tremaine LLP, Seattle, WA

SPEAKERS:

- Melinda R. HATTON, General Counsel, American Hospital Association, Washington, DC
- Peter J. MUCCHETTI, Chief, Healthcare and Consumer Products, U.S. Department of Justice, Antitrust Division, Washington, DC
- Aviv NEVO, University of Pennsylvania, Philadelphia, PA
- Jonathan M. ORSZAG, Compass Lexecon LLC, Washington, DC

SCHEDULE OF EVENTS - WEDNESDAY

3:30 – 5:00 PM

AROUND THE WORLD SELF-REGULATION STYLE

Presented by the International Task Force and Advertising Disputes & Litigation, and Consumer Protection Committees

The International Council on Ad Self-Regulation (ICAS) established in October of 2016, and the Asia-Pacific Economic Cooperation (APEC) have made a significant impact on advertising self-regulation globally and in the U.S. Join the world's leaders of self-regulation to learn about how SROs approach new and important developments in advertising, including influencers, health claims, and more.

SESSION CHAIR:

Amy RALPH MUDGE, Venable LLP, Washington, DC

MODERATOR:

Terri J. SELIGMAN, Frankfurt Kurnit Klein & Selz PC, New York, NY

SPEAKERS:

- Laura BRETT, Director, National Advertising Division at the Better Business Bureau, New York, NY
- Fiona JOLLY, Vice President, Asia-Pacific, ICAS, CEO, Advertising Standards Australia, Braddon, ACT
- Jose Domingo GOMEZ CASTALLO, Director General, SRO AUTOCONTROL, Madrid
- Karla Avila JIMENEZ, Director General, CONAR Mexico, Mexico City

3:30 – 5:00 PM

COLLECTIVE REDRESS OUTSIDE THE UNITED STATES

Presented by the Global Private Litigation and International Committees

Follow-on civil actions have featured increasingly prominently in both first-world and developing countries. Key lessons learned and practical conundrums which the U.S. courts have grappled with over many decades provide meaningful guidance to practitioners, plaintiffs and defendants embroiled in collective redress cases in jurisdictions with less developed class-action precedent.

SESSION CHAIR:

Susan M. HUTTON, Stikeman Elliott LLP, Ottawa

MODERATOR:

John M. OXENHAM, Nortons Incorporated, Johannesburg

SPEAKERS:

- Michael D. HAUSFELD, Hausfeld, Washington, DC
- Jon LAWRENCE, Freshfields Bruckhaus Deringer LLP, London
- Peta STEVENSON, King & Wood Mallesons, Sydney

3:30 – 5:00 PM

DISTINCTIONS WITH DIFFERENCES: CANVASSING CROSS-JURISDICTIONAL ETHICS RULES

Presented by the Compliance & Ethics, Corporate Counseling, and International Committees

Both litigation and commercial transactions are commonly international, requiring navigation not only of local laws but also divergent ethical rules. Pitfalls and best practices for multi-jurisdictional privilege protection, gun jumping, joint-defense arrangements and information sharing will be addressed by our U.S., European, Canadian and Latin American legal ethics experts.

SESSION CHAIR/MODERATOR:

Deborah SALZBERGER, Blake Cassels & Graydon LLP, Toronto

SPEAKERS:

- Bruno DE LUCA DRAGO, Demarest Advogados, Sao Paulo
- Myles HANSEN, Chief Strategy, International Commercial & Antitrust Counsel, Monsanto, St. Louis, MO
- Wolfgang HECKENBERGER, Chief Counsel Competition, Siemens, Munich
- Ankur KAPOOR, Constantine Cannon LLP, New York, NY

3:30 – 5:00 PM

FUNDAMENTALS—ECONOMICS

Presented by the Economics Committee

Basic economic precepts are indispensable to effective antitrust arguments. Yet, economists' use of increasingly sophisticated theories and methodologies stretches the capacity of lawyers and courts to properly apply their conclusions. Four distinguished economists will discuss basic economic principles and the value to lawyers of keeping pace with the state-of-the-art economic thinking.

SESSION CHAIR/MODERATOR:

Laila HAIDER, Edgeworth Economics LLC, Washington, DC

SPEAKERS:

- Lona FOWDUR, Economists Incorporated, Washington, DC
- Martha SAMUELSON, Analysis Group, Boston, MA
- Tor WINSTON, Economist, U.S. Department of Justice, Antitrust Division, Washington, DC

SCHEDULE OF EVENTS - WEDNESDAY

3:30 - 5:00 PM

KIDS CONNECTED: IOT AND CHILDREN'S PRIVACY

Presented by the Consumer Protection and Privacy & Information Security Committees

From breaches, to eavesdropping, to location tracking, the newest connected devices—not only toys but also the home-based devices that kids use—leave children vulnerable to privacy violations. With Congressional and regulatory interest at an all-time high, this panel will explore how to build security and parental consent into “always on,” “always listening” products.

SESSION CHAIR/MODERATOR:

Phyllis H. MARCUS, Hunton & Williams LLP, Washington, DC

SPEAKERS:

- Dona FRASER, Director, Children's Advertising Review Unit of the Better Business Bureau, New York, NY
- Brian HUSEMAN, Vice President, Public Policy, Amazon, Washington, DC
- Maneesha MITHAL, Associate Director, Division of Privacy and Identity Protection, Federal Trade Commission, Washington, DC

3:30 - 5:00 PM

MERGERS: DEFINING AND LITIGATING RELEVANT MARKETS

Presented by the Civil Practice & Procedure, Federal Civil Enforcement, and Mergers & Acquisitions Committees

Market definition is the first step in any merger challenge and is perhaps the most important battleground in merger litigation. Practitioners and experts will discuss best practices relating to defining the relevant geographic and product markets, with a focus on market definition difficulties in innovation-intensive industries.

SESSION CHAIR/MODERATOR:

Paula W. RENDER, Jones Day, Chicago, IL

SPEAKERS:

- Joseph J. MATELIS, Sullivan & Cromwell LLP, Washington, DC
- Michael R. MOISEYEV, Assistant Director, Mergers I, Bureau of Competition, Federal Trade Commission, Washington, DC
- Richard G. PARKER, O'Melveny & Myers LLP, Washington, DC
- Christine SIEGWARTH MEYER, NERA Economic Consulting, New York, NY

3:30 - 5:00 PM

NEGOTIATING CARTEL FINES AND CIVIL SETTLEMENT

Presented by the Cartel & Criminal Practice Committee

What factors drive DOJ fines and civil settlement amounts in cartel cases? How is volume of commerce defined and quantified? Do “first-in” defendants always obtain lower fines, and does “first-in” status matter in civil settlement? What is the impact of cooperation? Is there a correlation between criminal fines and civil settlement amounts? Our panelists will provide varying views on these topics.

SESSION CHAIR/MODERATOR:

Adam C. HEMLOCK, Weil Gotshal & Manges LLP, New York, NY

SPEAKERS:

- Rosa M. ABRANTES-METZ, Global Economics Group, New York, NY
- Rachel J. ADCOX, Axinn Veltrop & Harkrider LLP, Washington, DC
- Jeffrey D. MARTINO, Chief, New York Office, U.S. Department of Justice, Antitrust Division, New York, NY
- Hollis SALZMAN, Robins Kaplan LLP, New York, NY

3:30 - 5:00 PM

PRICE-BOTS: ARE R2D2 AND C3PO TACITLY COLLUDING?

Presented by the Civil Practice & Procedure, Consumer Protection, and Distribution & Franchising Committees

A panel of litigators and academics will address the potential for antitrust liability from the use of price-bots and pricing algorithms and, along with the audience, will participate in an interactive pricing exercise.

SESSION CHAIR/MODERATOR:

Paul H. SAINT-ANTOINE, Drinker Biddle & Reath LLP, Philadelphia, PA

SPEAKERS:

- Ai DENG, Bates White Economic Consulting, Washington, DC
- Lesli C. ESPOSITO, DLA Piper, Philadelphia, PA
- Joshua S. GANS, The Brattle Group, Toronto
- Maurice STUCKE, University of Tennessee College of Law, Knoxville, TN

SCHEDULE OF EVENTS - WED/THURS

3:30 – 5:00 PM

PROTECTING BRAND & DISTRIBUTOR INVESTMENT ON THE INTERNET

Presented by the Distribution & Franchising Committee

The internet is becoming an increasingly complex distribution channel. How do you advise clients in this dynamic environment? What can manufacturers do about destructive and free-riding discounters? And do the traditional mechanisms, like MAP Plans and Colgate Plans, have a role? And what is the effect of the EU Coty Decision?

SESSION CHAIR/MODERATOR:

Melanie L. AITKEN, Bennett Jones (US) LLP, Washington, DC

SPEAKERS:

- Steven J. CERNAK, Schiff Hardin LLP, Ann Arbor, MI
- Margaret E. GUERIN-CALVERT, Compass Lexecon LLC, Washington, DC
- Christopher SAGERS, Cleveland-Marshall College of Law, Cleveland, OH
- Richard M. STEUER, Mayer Brown LLP, New York, NY

3:30 – 5:00 PM

SEP AND FRAND: ISSUES AROUND THE WORLD

Presented by the Antitrust Magazine, Exemptions & Immunities, Intellectual Property, and International Committees

Multiple jurisdictions have assessed the licensing (or non-licensing) of standard essential patents (SEPs) through the lens of their antitrust laws, including the U.S., the EU, China, Taiwan and Korea. Do we see convergence or divergence in the analysis? What role does “comity” play, if any? What key IP principles are implicated (e.g., the exhaustion doctrine)? What is the antitrust end game?

SESSION CHAIR/MODERATOR:

Hartmut SCHNEIDER, WilmerHale, Washington, DC

SPEAKERS:

- Yong Seok AHN, Lee & Ko, Seoul
- Alan HOFFMAN, Senior Group Antitrust Counsel, Nokia Corporation, Washington, DC
- Clara INGEN-HOUSZ, Linklaters LLP, Hong Kong
- Frances MARSHALL, Senior Counsel for Intellectual Property, U.S. Department of Justice, Antitrust Division, Washington, DC

5:00 – 6:00 PM

WELCOME RECEPTION THE MARQUIS

Mix and mingle with Spring attendees at the opening reception. Your badge is your ticket to attend.

6:00 – 7:00 PM

PLAINTIFFS' RECEPTION TICKETED EVENT

Registered attorneys from the plaintiffs' bar are invited to join their peers and the Global Private Litigation Committee members for an opportunity to network and discuss issues of common interest. A ticket to attend will be included in the registration materials for plaintiffs' counsel and spring registrants registered for the Global Private Litigation Conference. Details will be emailed closer to the Spring Meeting.

THURSDAY, APRIL 12, 2018

7:30 AM – 5:30 PM

BOOKSTORE & REGISTRATION OPEN

8:30 – 10:00 AM

BIG IS BAD—OR IS IT?

Presented by the International Task Force and Unilateral Conduct Committees

A high-profile (and political) debate has arisen following recent studies purporting to find an increase in, and high levels of, concentration, allegedly demonstrating the failure of antitrust enforcement. Others claim methodological flaws in the studies and that the concentration paradigm has long been refuted. Join this panel for a debate of these issues and international implications.

SESSION CHAIR:

Gabrielle Z. KOHLMIEIER, Associate General Counsel, Verizon Communications Inc., Washington, DC

MODERATOR:

William M. KOVACIC, George Washington University Law School, Washington, DC

SPEAKERS:

- Kathleen A. FOOTE, Senior Assistant Attorney General, Office of the Attorney General, San Francisco, CA
- John E. KWOKA, Northeastern University, Boston, MA
- Howard SHELANSKI, Georgetown University Law Center, Washington, DC
- Tommaso VALLETTI, Chief Competition Economist, European Commission, DG Competition, Brussels

SCHEDULE OF EVENTS - THURSDAY

8:30 - 10:00 AM

BRIEFING WITH THE STATE ENFORCERS

Presented by the State Enforcement Committee

State Attorneys General play a crucial role in enforcing state and federal antitrust and consumer protection laws as sovereigns, *parens patriae*, and as purchasers. Join our panelists, who represent antitrust and consumer protection bureaus from across the country, as we discuss recent enforcement activities and the ongoing missions of state enforcement agencies.

SESSION CHAIR/MODERATOR:

Gwendolyn J. COOLEY, Assistant Attorney General, Office of the Attorney General, Madison, WI

SPEAKERS:

- Elizabeth ARTHUR, Assistant Attorney General, Office of the Attorney General, Washington, DC
- Paul MOORE, Deputy Attorney General, Office of the Attorney General, San Francisco, CA
- W. Joseph NIELSEN, Assistant Attorney General, Office of the Attorney General, Hartford, CT
- Matthew W. SAWCHAK, Solicitor General, Office of the Attorney General, Richmond, VA

8:30 - 9:45 AM

INNOVATION AND MERGER CONTROL

Presented by the Corporate Counseling, Federal Civil Enforcement, and International Committees

Innovation is playing an increasingly important role in the analysis of mergers. It is seen by regulators as a key competitive parameter in a range of industries, including life sciences, high technology and agri-business. Its importance is likely only to increase given globalization, the pace of digital change and the complexity of modern markets.

SESSION CHAIR/MODERATOR:

Samantha H. KNOX, Associate General Counsel, Competition, Facebook, Menlo Park, CA

SPEAKERS:

- Patricia A. BRINK, Director of Civil Enforcement, U.S. Department of Justice, Antitrust Division, Washington, DC
- George S. CARY, Cleary Gottlieb Steen & Hamilton LLP, Washington, DC
- Eric R. EMCH, Bates White Economic Consulting, Washington, DC
- Carles ESTEVA MOSSO, Deputy Director General, European Commission, DG Competition, Brussels

8:30 - 10:00 AM

LAST YEAR TODAY: CONSUMER PROTECTION 2017

Presented by the Advertising Disputes & Litigation, Consumer Protection, and Privacy & Information Security Committees

2017 was full of important developments for regulators and self-regulators on cutting edge consumer protection enforcement issues, including native advertising, endorsements, consumer reviews used for claim substantiation, privacy and more. Hear from the people on the front lines on their enforcement priorities and initiatives.

SESSION CHAIR/SPEAKER:

Robert M. LANGER, Wiggin & Dana LLP, Hartford, CT

MODERATOR:

August T. HORVATH, Kelley Drye & Warren LLP, New York, NY

SPEAKERS:

- Lesley FAIR, Senior Attorney, Federal Trade Commission, Washington, DC
- Paul SINGER, Chief, Consumer Protection Division, Office of the Attorney General, Austin, TX
- Anahid M. UGURLAYAN, Assistant Director, Communications, National Advertising Division at the Better Business Bureau, New York, NY

8:30 - 10:00 AM

MOCK DAUBERT HEARING OF PLAINTIFF'S ECONOMIST

Presented by the Economics and Trial Practice Committees

It has become standard procedure to file a *Daubert* motion against the plaintiff's economist in an antitrust litigation. Even if partially successful, it can be devastating to the plaintiff's case. Join us for an exciting mock *Daubert* hearing before a Federal Judge, in which a plaintiff's economist will be questioned on direct and cross examination based on a created fact pattern.

SESSION CHAIR/MODERATOR:

David H. REICHENBERG, Wilson Sonsini Goodrich & Rosati PC, New York, NY

SPEAKERS:

- The Honorable Richard F. BOULWARE, II, U.S. District Judge, U.S. District Court for District of Nevada, Las Vegas, NV
- Amanda F. DAVIDOFF, Sullivan & Cromwell LLP, Washington, DC
- Daniel MATHESON, Senior Trial Counsel, Federal Trade Commission, Washington, DC
- Frederick R. WARREN-BOULTON, Navigant Economics, Washington, DC

SCHEDULE OF EVENTS - THURSDAY

8:30 – 10:00 AM

NET NEUTRALITY: DEJA VU OR A NEW ERA?

Presented by the Media & Technology Committee

Net Neutrality is hot news, again, with DOJ and FTC enforcement proposed as the salve to address broadband competition and privacy concerns. Hear a debate on critical issues including: Whether we need rule-based competition policy or if we can rely on traditional antitrust enforcement? Can or should DOJ and FTC enforcement address non-economic policy goals, like diversity of speech?

SESSION CHAIR/MODERATOR:

Scott SCHEELE, Chief, Telecommunications and Broadband Section, U.S. Department of Justice, Antitrust Division, Washington, DC

SPEAKERS:

- Joel MARCUS, Deputy General Counsel for Litigation, Office of the General Counsel, Federal Trade Commission, Washington, DC
- Jonathan E. NUECHTERLEIN, Sidley Austin LLP, Washington, DC
- Tim WU, Columbia University Law School, New York, NY
- Christopher S. YOO, University of Pennsylvania Law School, Philadelphia, PA

8:30 – 10:00 AM

RECENT DEVELOPMENTS IN GLOBAL CLASS ACTIONS

Presented by the Global Private Litigation Committee

Recent years have seen many important developments in two types of claims often found at the periphery of antitrust litigation: non-competes and trade secrets. Join this all-star panel for a lively discussion of how these claims may impact your next antitrust case!

SESSION CHAIR/MODERATOR:

Gregory P. HANSEL, Preti Flaherty Beliveau & Pachios LLP, Portland, ME

SPEAKERS:

- Najah FARLEY, Senior Staff Attorney, National Employment Law Project, New York, NY
- Thomas G. FUNKE, Osborne Clarke LLP, Köln
- Sathya S. GOSSELIN, Hausfeld, Washington, DC
- Katherine KAY, Stikeman Elliott LLP, Toronto

8:30 – 10:00 AM

THE PRICE IS RIGHT: HOW TO KNOW

Presented by the Distribution & Franchising and Pricing Conduct Committees

Courts and regulators everywhere continue to wrestle with the analytic framework to apply to bundled pricing and loyalty discounts. What are the benefits of or justifications for this type of conduct? Should it be reviewed under tying, exclusive dealing, or predatory pricing law? Is there a place for a per se rule? How can companies safely set conditioned prices while the law is so uncertain?

SESSION CHAIR/MODERATOR:

Deena Jo SCHNEIDER, Schnader Harrison Segal & Lewis LLP, Philadelphia, PA

SPEAKERS:

- Jennifer D. HACKETT, Zelle LLP, Washington, DC
- James B. MUSGROVE, McMillan LLP, Toronto
- Chul PAK, Wilson Sonsini Goodrich & Rosati PC, New York, NY
- Michael WHINSTON, Massachusetts Institute of Technology Sloan School of Management, Cambridge, MA

10:15 AM – NOON

CHAIR'S SHOWCASE & LIFETIME ACHIEVEMENT AWARD

For decades, The Honorable Richard A. Posner has been a powerful force for antitrust thought and development. With his recent retirement from the U.S. Court of Appeals for the Seventh Circuit, this panel will explore his many and varied contributions to antitrust law and economics—ranging from issues of administration and administrability, to collusion and exclusion, remedies, and more.

AWARD:

Lifetime Achievement Award

SECTION CHAIR:

Jonathan M. JACOBSON, Wilson Sonsini Goodrich & Rosati PC, Washington, DC

SPEAKERS:

- Rebecca Haw ALLENSWORTH, Vanderbilt Law School, Nashville, TN
- Eleanor M. FOX, New York University School of Law, New York, NY
- The Honorable Douglas H. GINSBURG, Senior Circuit Judge, U.S. Court of Appeals, Washington, DC
- Keith N. HYLTON, Boston University School of Law, Boston, MA
- Steven C. SALOP, Georgetown University Law Center, Washington, DC

SCHEDULE OF EVENTS - THURSDAY

12:15 - 1:15 PM

LUNCHEON RECEPTION FOR IN-HOUSE COUNSEL TICKETED EVENT

The Section Officers and Spring Meeting Co-chairs invite registered Spring Meeting in-house counsel to a luncheon reception. This is an opportunity to make connections and discuss issues of common interest with peers at other companies. A ticket to attend will be included in the registration materials for in-house counsel attending the Spring Meeting. Details will be emailed closer to the Spring Meeting.

1:30 - 3:00 PM

ANTITRUST/IP: THE BASICS

Presented by the Intellectual Property Committee

Understanding the oft-disputed terrain at the intersection of IP and antitrust can be daunting to the newly initiated. Our panelists will offer a basic primer to the IP laws, key doctrines governing litigation and enforcement matters in the antitrust/IP space, and an overview of the IP enforcement guidelines from the world's leading antitrust agencies.

SESSION CHAIR/MODERATOR:

Alexander P. OKULIAR, Orrick Herrington & Sutcliffe LLP, Washington, DC

SPEAKERS:

- Elizabeth BAILEY, NERA Economic Consulting, San Francisco, CA
- Michael A. CARRIER, Rutgers Law School, Camden, NJ
- J. Anthony CHAVEZ, Counsel, Exxon Mobil Corporation, Houston TX
- Greg SIVINSKI, Assistant General Counsel, Competition Law, Microsoft Corporation, Seattle, WA

1:30 - 3:00 PM

DIESELGATE-STRATEGIES FOR MULTI-JURISDICTIONAL CP INVESTIGATIONS

Presented by the Advertising Disputes & Litigation and Consumer Protection Committees

"Dieselgate" is a recent example of parties defending multi-jurisdictional consumer investigations, enforcement and class actions. What are practical strategies for defending multi-jurisdictional and frequently contemporaneous investigations, enforcement, and private litigation. Learn the differences and similarities between jurisdictions and tactical tips for navigating them.

SESSION CHAIR/MODERATOR:

Antonio DI DOMENICO, Fasken Martineau DuMoulin LLP, Toronto

SPEAKERS:

- Christopher A. COLE, Crowell & Moring LLP, Washington, DC
- James KOHM, Associate Director, Enforcement Division, Federal Trade Commission, Washington, DC
- Shari MULROONEY WOLLMAN, Manatt Phelps & Phillips LLP, Los Angeles, CA
- Veronica PINOTTI, White & Case LLP, Milan

1:30 - 3:00 PM

DOES CRIME PAY? CARTEL FINES AND DAMAGES

Presented by the Cartel & Criminal Practice, Civil Practice & Procedure, and Economics Committees

In cartel cases, plaintiffs in Europe and the U.S. often claim overcharges of 20% or more. Most cartel cases are settled with fines and damages not litigated, so published empirical work has been used in settlement negotiations to justify higher fines and private damages. U.S. and European economists with substantially different opinions examine the reliability of these studies.

SESSION CHAIR/MODERATOR:

James LANGENFELD, Navigant Economics, Washington, DC

SPEAKERS:

- Cristina CAFFARRA, Charles River Associates, Brussels
- John M. CONNOR, Purdue University, West Lafayette, IN
- Niall E. LYNCH, Latham & Watkins LLP, San Francisco, CA
- Elizabeth PREWITT, Hughes Hubbard & Reed LLP, New York, NY

1:30 - 3:00 PM

PROCEEDINGS OF THE DOMINANCE DIVERGENCE TASK FORCE

Presented by the Dominance Divergence Task Force with the International and Unilateral Conduct Committees

Achieving convergence in unilateral conduct enforcement has been likened to climbing Mount Everest. Hear from the Dominance Divergence Task Force as it gears up to make the climb. Panelists will discuss reasons why the U.S., EU, Asia, and Latin America have taken different paths in the assessment of unilateral conduct, and whether differences can be reconciled or are likely to continue.

SESSION CHAIR/MODERATOR:

Hill B. WELLFORD, Morgan Lewis & Bockius LLP, Washington, DC

SPEAKERS:

- Julia HOLTZ, Senior Competition Counsel, Visa Incorporated, London
- Hwang LEE, Korea University School of Law, Seoul
- Timothy S. LONGMAN, Trial Attorney, U.S. Department of Justice, Antitrust Division, Washington, DC
- Theodore VOORHEES, Covington & Burling LLP, Washington, DC

SCHEDULE OF EVENTS - THURSDAY

1:30 - 3:00 PM

VIEWS FROM THE BENCH—MERGERS

Presented by the Federal Civil Enforcement, Mergers & Acquisitions, and Trial Practice Committees
Hear from the judges who have presided over some of the most challenging and rigorously contested merger cases in the past several years as they discuss lessons and observations from the bench.

SESSION CHAIR/MODERATOR:

Rebecca VALENTINE, Trial Attorney, Defense, Industrials and Aerospace, U.S. Department of Justice, Antitrust Division, Washington, DC

SPEAKERS:

- The Honorable John D. BATES, U.S. District Judge, U.S. District Court for the District of Columbia, Washington, DC
- The Honorable Amy Berman JACKSON, U.S. District Judge, U.S. District Court for the District of Columbia, Washington, DC
- The Honorable B. Lynn WINMILL, U.S. District Judge, U.S. District Court for the District of Idaho, Boise, ID

1:30 - 3:00 PM

WHOSE INTERNET IS IT ANYWAY?

Presented by the Consumer Protection, Privacy & Information Security, and State Enforcement Committees

There has been considerable change in FCC direction regarding net neutrality and privacy. These federal changes are not, however, the last word, as several states have jumped into the net neutrality and privacy debates in the ISP world. Join this distinguished panel as they debate the need for and means of regulation of ISPs.

SESSION CHAIR/MODERATOR:

David S. TURETSKY, University at Albany, College of Emergency Preparedness, Homeland Security and Cybersecurity, Albany, NY

SPEAKERS:

- William BAER, Arnold & Porter Kaye Scholer LLP, Washington, DC
- Gregory P. LUIB, Dechert LLP, Washington, DC
- Robert M. MCDOWELL, Cooley LLP, Washington, DC
- Gigi B. SOHN, Georgetown University Law Institute for Technology and Policy, Washington, DC

1:30 - 3:00 PM

YOU'RE HIRED? ANTITRUST AND EMPLOYMENT

Presented by the Federal Civil Enforcement and Media & Technology Committees

Recent cases involving workers reflect a growing interest in the application of antitrust laws to the employment area. At the same time, newly issued guidance from DOJ and FTC focuses on such practices as "naked" no-poaching or wage-fixing agreements. Why have the media and technology industries been focal points of antitrust concern over hiring and compensation?

SESSION CHAIR/SPEAKER:

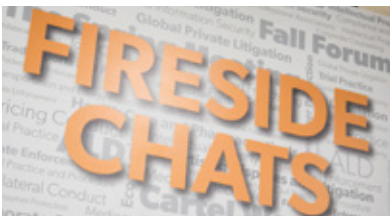
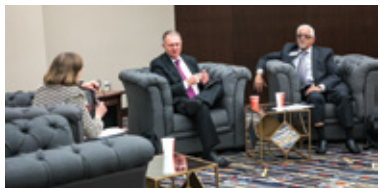
Shelley J. WEBB, Associate General Counsel Intel Corporation, Santa Clara, CA

MODERATOR:

Alan DEVLIN, Latham & Watkins LLP, Washington, DC

SPEAKERS:

- David J. ERNST, Antitrust and Competition Law Senior Counsel, 3M, St. Paul, MN
- Caroline HOLLAND, Technology Policy Fellow, Mozilla Foundation, Washington, DC
- Deborah P. MAJORAS, Chief Legal Officer & Secretary, The Procter & Gamble Company, Cincinnati, OH



SCHEDULE OF EVENTS - THURSDAY

1:30 – 5:00 PM

MOCK TRIAL

Presented by the Intellectual Property and Trial Practice Committees

The balance between antitrust and intellectual property has been actively litigated recently, with the government challenging a patent holder's licensing conduct. Come watch as two distinguished trial teams tackle some of these challenging issues and watch how a jury responds to them and the economics on which they often turn.

Part 1 of the Mock Trial will focus on the parties' opening statements; fact and expert witness presentations (both direct and cross-examination); and closing arguments

Break: 3:00pm – 3:15pm

Part 2 of the Mock Trial will focus on the jury instructions and deliberations; jury verdict; and an analysis of the verdict, including a question-and-answer session with the jury

SESSION CHAIR/MODERATOR:

William M. KATZ, Thompson & Knight LLP, Dallas, TX

PARTICIPANTS:

- Juan A. ARTEAGA, Crowell & Moring LLP, New York, NY
- Gil CALVILLO, Jury Consultant, Calvillo & Associates, Los Angeles, CA
- The Honorable Amit MEHTA, U.S. District Judge, U.S. District Court for the District of Columbia, Washington, DC
- Jennifer MILICI, Senior Trial Counsel, Bureau of Competition, Federal Trade Commission, Washington, DC
- Joseph J. MUELLER, WilmerHale, Boston, MA
- Laura SHORES, Arnold & Porter Kaye Scholer LLP, Washington, DC
- Joanna TSAI, Charles River Associates, Washington, DC
- Lawrence WU, NERA Economic Consulting, San Francisco, CA

3:15 – 5:00 PM

ANTITRUST IN A TIME OF ECONOMIC POPULISM

Presented by the Intellectual Property, Legislation, and Media & Technology Committees

Antitrust is a hot political topic, stretching beyond the bounds of expert discourse at a time of economic frustration. Both major political parties focused on antitrust last year; members of Congress now call for change in the antitrust laws, with criticism of current antitrust doctrine coming from the left and right. Should we change the laws? Should antitrust enforcement evolve? How?

SESSION CHAIR/MODERATOR:

Hillary GREENE, University of Connecticut School of Law, Hartford, CT

SPEAKERS:

- Andrew I. GAVIL, Howard University School of Law, Washington, DC
- Barry C. LYNN, Executive Director, Open Markets Institute, Washington, DC
- Jonathan B. SALLET, Steptoe & Johnson LLP, Washington, DC
- Carl SHAPIRO, University of California Haas School of Business and Department of Economics, Berkeley, CA

3:15 – 5:00 PM

EXPLOITATIVE ABUSE: ILLEGAL TO CHARGE TOO MUCH?

Presented by the Federal Civil Enforcement, International, and Pricing Conduct Committees

Can a dominant firm violate competition laws if it charges excessive prices? The EC says "yes," but the U.S. says "no," so long as those prices are not the result of an illegally-gained market position. Which is correct? Why is the other wrong? Where is the rest of the world going?

SESSION CHAIR/MODERATOR:

Randall M. WEINSTEN, Attorney, Federal Trade Commission, Washington, DC

SPEAKERS:

- Thomas O. BARNETT, Covington & Burling LLP, Washington, DC
- Leah O. BRANNON, Cleary Gottlieb Steen & Hamilton LLP, Washington, DC
- Tal EYAL-BOGGER, Fischer Behar Chen Well Orion & Co, Tel Aviv

3:15 – 5:00 PM

HOT TOPICS

Antitrust and consumer protection policy, enforcement, and litigation change every day with vital issues constantly surfacing. Take a quick look at how the past year has set the stage for the new of today and trends of tomorrow. Additional faculty will appear on the conference website as the date draws near.

SPRING CO-CHAIRS:

- Deborah L. FEINSTEIN, Arnold & Porter Kaye Scholer LLP, Washington, DC
- Renata B. HESSE, Sullivan & Cromwell LLP, Washington, DC

SPEAKERS:

- Johannes LAITENBERGER, Director-General, European Commission, DG Competition, Brussels
- The Honorable Jon S. TIGAR, U.S. District Court, U.S. District of Northern California, San Francisco, CA

SCHEDULE OF EVENTS - THURSDAY

3:15 – 5:00 PM

INSIDE THE INTEL DECISION

Presented by the Intellectual Property, International, and Unilateral Conduct Committees
Panelists from Europe and the U.S. will analyze the European Court of Justice's Intel decision. The panel will discuss the implications of the ECJ's decision on the legal standards and economic analyses applicable to loyalty incentives, as well as procedural implications for future investigations by the European Commission.

SESSION CHAIR/MODERATOR:

Amanda P. REEVES, Latham & Watkins LLP, Washington, DC

SPEAKERS:

- Riccardo CELLI, O'Melveny & Myers LLP, Brussels
- John HAYES, Charles River Associates, Oakland, CA
- A. Douglas MELAMED, Stanford Law School, Stanford, CA
- Janusz A. ORDOVER, Compass Lexecon LLC, New York, NY

3:15 – 5:00 PM

IS CARTEL LENIENCY STILL WORTH IT?

Presented by the Cartel & Criminal Practice, Global Private Litigation, and International Committees
Leniency applicants complain of increasing burdens to qualify, huge civil exposure, questionable ACPERA benefits and uncertainty in international protection. But criminal exposure and the threat of prosecution still loom large. Experts will discuss whether the costs of leniency have started to outweigh the benefits.

SESSION CHAIR/MODERATOR:

J. Brent JUSTUS, McGuireWoods LLP, Washington, DC

SPEAKERS:

- Frank MONTAG, Freshfields Bruckhaus Deringer LLP, Brussels
- Lisa M. PHELAN, Chief, Washington Criminal Enforcement Section, U.S. Department of Justice, Antitrust Division, Washington, DC
- John M. TALADAY, Baker Botts LLP, Washington, DC
- Heather S. TEWKSBURY, WilmerHale, Palo Alto, CA

3:15 – 5:00 PM

NO HARM, NO FOUL? VALUING DATA BREACHES

Presented by the Consumer Protection, Privacy & Information Security, and State Enforcement Committees

Over the last 10 years there has been phenomenal growth in legislative and enforcement efforts regarding data security. This issue will only grow in significance with the coming explosion of non-financial personal data generated by the internet of things. This panel will discuss a key question involved with every data breach "how do you determine the harm or damages caused by the breach?"

SESSION CHAIR/MODERATOR:

Richard P. LAWSON, Manatt Phelps & Phillips LLP, New York, NY

SPEAKERS:

- Svetlana S. GANS, Chief of Staff, Federal Trade Commission, Washington, DC
- Randal M. SHAHEEN, Venable LLP, Washington, DC
- Abigail STEMPSON, National Association of Attorneys General, Washington, DC
- Ginger ZHE JIN, University of Maryland, College Park, MD

7:15 – 9:30 PM

SECTION DINNER (TICKETS AVAILABLE FOR PURCHASE) TICKETED EVENT

M2-Salons 5 & 6

Enjoy dinner with actor and comedian JAY MOHR. An alumni of Saturday Night Live, Jay has continued success as an author and his national syndicated daily sport talk show—Jay Mohr Sports—prior to landing on the big stage of the ABA Antitrust Law Spring Meeting. Comedy Central named Mohr one of the greatest 100 stand-up comics of all times. Table and individual tickets are available for purchase.



SCHEDULE OF EVENTS - FRIDAY

FRIDAY, APRIL 13, 2018

7:30 AM - NOON

REGISTRATION OPEN

2nd Floor Mezzanine

7:30 AM - 12:30 PM

BOOKSTORE

M4-Archives

8:30 - 9:45 AM

A GUIDE TO REMEDIES IN GLOBAL DEALS

Presented by the International and Mergers & Acquisitions Committees with the International Task Force

As the number of jurisdictions with strong merger control grows, negotiating remedies in global transactions can be challenging. Our expert panel will help you navigate practical issues such as achieving effective coordination among authorities, creating remedies that efficiently resolve all concerns including when they differ among jurisdictions, and dealing with different procedural rules.

SESSION CHAIR/MODERATOR:

Amadeu C. RIBEIRO, Mattos Filho Veiga Filho Marrey Jr. e Quiroga Advogados, New York, NY

SPEAKERS:

- Ninette DODOO, Freshfields Bruckhaus Deringer LLP, Beijing
- Dorothy B. FOUNTAIN, Chief Legal Advisor, U.S. Department of Justice, Antitrust Division, Washington, DC
- Sharis A. POZEN, Vice President of Global Competition and Antitrust, General Electric Company, Washington, DC
- Annette SCHILD, Antitrust Law Schild, Brussels

8:30 - 9:45 AM

AGENCY UPDATE WITH THE FTC BUREAU DIRECTORS

Presented by the Federal Civil Enforcement Committee

The annual session where you hear directly from the Federal Trade Commission Directors of the Bureau of Competition, Bureau of Consumer Protection, and Bureau of Economics about the latest in antitrust and consumer protection enforcement and policy initiatives. With the change of administration, these names will be updated online.

SESSION CHAIR:

Carla A.R. HINE, Kirkland & Ellis LLP, Washington, DC

MODERATOR:

Brian R. HENRY, The Coca-Cola Company, Atlanta, GA

SPEAKERS:

- Director, Bureau of Competition, Federal Trade Commission, Washington, DC
- Director, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC
- Director, Bureau of Economics, Federal Trade Commission, Washington, DC

8:30 - 9:45 AM

INTERNATIONAL CARTELS—ARE THEY BEING OVERDETERRED?

Presented by the Cartel & Criminal Practice Committee and the International Cartel Task Force

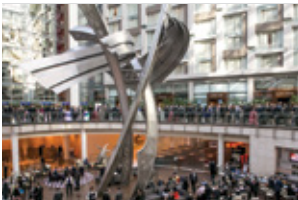
Do cumulative fines imposed by multiple jurisdictions lead to excessive cartel penalties, impede competition and deter legitimate business operations as well as hard core collusion? What can cartel enforcers do to better coordinate fines and harmonize their deterrence policies? What about “negative comity” agreements and agency forbearance? Come and get the inside scoop.

SESSION CHAIR/MODERATOR:

Thomas MUELLER, WilmerHale, Washington, DC

SPEAKERS:

- Cynthia E. RICHMAN, Gibson Dunn & Crutcher LLP, Washington, DC
- Michelle RINDONE, Acting Director of Criminal Enforcement, U.S. Department of Justice, Antitrust Division, Washington, DC
- Mariana TAVARES DE ARAUJO, Levy & Salomao, Rio de Janeiro



SCHEDULE OF EVENTS - FRIDAY

8:30 - 9:45 AM

MOCK TRIAL—MOTION TO DISMISS HACKING SUIT

Presented by the Advertising Disputes & Litigation, Consumer Protection, and Privacy & Information Security Committees

At the 2017 Hackers in Hoodies Conference, researchers showed how electronic, video doorbells could be hacked. The following Monday, a plaintiff representing national and state classes of doorbell owners sued, arguing their doorbells are rendered unsafe. Is there standing? Come see leading litigants argue both sides of a motion to dismiss before a federal judge.

SESSION CHAIR/MODERATOR:

Nicole L. WILLIAMS, Thompson & Knight LLP, Dallas, TX

SPEAKERS:

- Stuart COCHRAN, Steckler Gresham Cochran, Dallas, TX
- The Honorable Susan ILLSTON, Senior U.S. District Judge, U.S. District Court for the Northern District of California, San Francisco, CA
- Jeffrey JACOBSON, Kelley Drye & Warren LLP, New York, NY

8:30 - 9:45 AM

PRICING ABCS: MAPS, UPPS AND MFNS

Presented by the Agricultural & Food, Corporate Counseling, and Pricing Conduct Committees

This program will explore the intersection of antitrust law and pricing policies across jurisdictions, with a particular focus on in-house counsel's role in advising clients. Hear from experienced practitioners about counseling clients on the legal contours of various pricing strategies, including minimum advertised price programs, unilateral pricing policies, and most favored nations clauses.

SESSION CHAIR/MODERATOR:

Sanford M. PASTROFF, Senior Counsel, Antitrust & Strategic Litigation, Whirlpool Corporation, Benton Harbor, MI

SPEAKERS:

- Forrest TREAT, Senior Attorney, Competition Law Group, Microsoft, Redmond, WA
- Suzanne WACHSSTOCK, VP & Chief Antitrust Counsel, American Express, New York, NY
- Mark D. WHITENER, Washington, DC
- Eugene F. ZELEK, Taft Stettinius & Hollister LLP, Chicago, IL

8:30 - 9:45 AM

WHEN IS MARKET MANIPULATION ANTICOMPETITIVE?

Presented by the Civil Practice & Procedure and Corporate Counseling Committees

Several recent cases contribute to a nascent jurisprudence on the reach of the antitrust laws over market manipulation (including Aluminum, Brent, Libor, and Merced). We will consider whether unilateral manipulation gives rise to abuse of market power, how to assess antitrust injury, whether coordinated manipulation satisfies Section 1, and the relevance of intent in litigating and deciding cases.

SESSION CHAIR/MODERATOR:

Elai E. KATZ, Cahill Gordon & Reindel LLP, New York, NY

SPEAKERS:

- Daniel L. BROCKETT, Quinn Emanuel Urquhart & Sullivan LLP, New York, NY
- The Honorable P. Kevin CASTEL, U.S. District Judge, U.S. District Court for the Southern District of New York, New York, NY
- Aitan D. GOELMAN, Zuckerman Spaeder LLP, Washington, DC
- Wendy H. WASZMER, Wilson Sonsini Goodrich & Rosati PC, New York, NY

10:00 AM - NOON

ENFORCERS ROUNDTABLE

Please join us for an in-depth conversation with leading competition authorities about their enforcement priorities and the transactions, investigations, and cases that are making headlines this year. The Enforcers Roundtable is always a concluding highlight of the Spring Meeting. Don't miss it!

SESSION CHAIR:

Jonathan M. JACOBSON, Wilson Sonsini Goodrich & Rosati PC, New York, NY

QUESTIONERS:

- Deborah L. FEINSTEIN, Arnold & Porter Kaye Scholer LLP, Washington, DC
- Gary P. ZANFAGNA, Associate General Counsel and Chief Antitrust Counsel, Honeywell International, Inc., Morris Plains, NJ

SPEAKERS:

- Andrea COSCELLI, Chief Executive, Competition & Markets Authority, London
- The Honorable Makan DELRAHIM, Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
- Victor J. DOMEN, Chair, Multistate Antitrust Task Force, National Association of Attorneys General, Nashville, TN
- The Honorable Maureen K. OHLHAUSEN, Acting Chairman, Federal Trade Commission, Washington, DC
- Margrethe VESTAGER, Commissioner for Competition, European Commission, Brussels

COMMITTEE DIRECTORY



Did you know that Connect is our committee collaboration tool? Please stop by M3 Level to learn about our 29 committees and Connect.



Committee	Wednesday	Thursday	Friday
Advertising Disputes & Litigation	PM	AM & PM	AM
Agriculture and Food			AM
Antitrust Magazine	AM & PM		
Cartel & Criminal Practice	AM & PM	PM	AM
Civil Practice & Procedure	AM & PM	PM	AM
Competition Torts	PM		
Compliance & Ethics	AM & PM		
Consumer Protection	AM & PM	AM & PM	AM
Corporate Counseling	AM & PM	AM	AM
Distribution & Franchising	PM	AM	
Dominance Divergence Task Force		PM	
Economics	PM	AM & PM	
Exemptions & Immunities	AM & PM		
Federal Civil Enforcement	AM & PM	AM & PM	AM
Global Private Litigation	AM & PM	AM & PM	
Health Care & Pharmaceuticals	AM & PM		
Insurance & Financial Services	AM		
Intellectual Property	AM & PM	PM	
International	AM & PM	AM & PM	AM
International Cartel Task Force	AM		AM
International Task Force	AM & PM	AM	AM
Joint Conduct	AM		
Legislation		PM	
Media & Technology	AM & PM	AM	
Mergers & Acquisitions	AM & PM	PM	AM
Pricing Conduct		AM & PM	AM
Privacy & Information Security	AM & PM	AM & PM	AM
State Enforcement	AM	AM & PM	
Trade, Sports & Professional Associations	PM		
Transportation & Energy Industries	AM		
Trial Practice	PM	AM & PM	
Unilateral Conduct	AM	AM & PM	

AM = Morning CLE Session | PM = Afternoon CLE Session

2017-2018 OFFICERS & STAFF

2017-2018 OFFICERS

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Section Chair-Elect

Deborah A. Garza (2017-2018)

Section Vice-Chair

Brian R. Henry (2017-2018)

Committee Officer

J. Anthony Chavez (2017-2018)

Consumer Protection Officer

Kevin J. O'Connor (2016-2018)

Finance Officer

Douglas C. Ross (2017-2018)

Immediate Past Chair

William C. MacLeod (2017-2018)

International Officer

Fiona A. Schaeffer (2017-2019)

Program Officer

Gary P. Zanfagna (2017-2019)

Publications Officer

Jonathan I. Gleklen (2016-2018)

Secretary & Communications Officer

Thomas F. Zych, Sr. (2016-2018)

Section Delegates

Steven J. Cernak (2016-2018)

Paula C. Martucci (2017-2020)

Counsel to the Section Chair

Elyse Dorsey (2017-2018)

Counsel to the Section Chair-Elect

Kavita Pillai (2017-2018)

ABA SECTION OF ANTITRUST LAW STAFF

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Joanne Travis (since 2002)

Assistant Director

Deborah Morgan (since 2003)

Committee Administrator

Diane Odom (since 1998)

Meetings Director

Margaret M. Stafford (since 1997)

Meetings & Marketing Coordinator

Patricia Harris (since 2006)

Office Administrator/Membership Assistant

John Pitts (since 2014)

Program Assistant

Kennan Carnegie (since 2015)

Program Specialist

Rose Ashford (since 2016)

Program Specialist

Tiffany Goldston (since 2017)

Program Specialist

Julianna Theberge (since 2015)

Special Projects Assistant

Anthony Nguyen (since 2014)

Technology & Communications Specialist

Julian-Robert Wiley (since 2008)

Thank You

Thank you to our Section Leadership, Session Chairs, Moderators, Speakers and Staff for their many hours of hard work in presenting this 66th Spring Meeting.

Program Officer

Gary Zanfagna, Honeywell International, Morris Plains, NJ

Spring Meeting Co-chairs

Deborah Feinstein, Arnold & Porter Kay Scholer LLP, Washington, DC

Renata B. Hesse, Sullivan & Cromwell LLP, Washington, DC

Spring Meeting Vice-Chair

Rebecca Valentine, U.S. Department of Justice, Washington, DC

Antitrust Abroad

Join the Section as we venture abroad.

2018

Global Seminar Series | May 10—Düsseldorf | May 24—Singapore

www.ambar.org/atseminarseries

February 14-16, 2018—Paris

International Cartel Workshop | www.ambar.org/atcartel

May 31-June 1, 2018—Seoul

Antitrust in the Asia | www.ambar.org/atasia

FORMER SECTION CHAIRS

1952-1953

Edward R. Johnston
Chicago, IL

1953-1954

David T. Searls
Houston, TX

1954-1955

William Simon
Washington, DC

1955-1956

Fred E. Fuller
Toledo, OH

1956-1957

Thomas E.
Sunderland
Chicago, IL

1957-1958

Herbert A. Bergson
Washington, DC

1958-1959

Hubert Hickam
Indianapolis, IN

1959-1960

Jerrold G. Van Cise
New York, NY

1960-1961

Francis R. Kirkham
San Francisco, CA

1961-1962

S. Chesterfield
Oppenheim
Ann Arbor, MI

1962-1963

Hammond E.
Chaffetz
Chicago, IL

1963-1964

H. Thomas Austern
Washington, DC

1964-1965

Cyrus V. Anderson
Pittsburgh, PA

1965-1966

Marcus Mattson
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1966-1967

Edgar G. Barton
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1967-1968

Richard W. McLaren
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1968-1969

Miles M. Kirkpatrick
Philadelphia, PA

1969-1970

Frederick M. Rowe
Washington, DC

1970-1971

Leroy Jeffers
Houston, TX

1971-1972

Richard K. Decker
Burr Ridge, IL

1972-1973

Julian O. von
Kalinowski
Los Angeles, CA

1973-1974

Thomas M. Scanlon
Indianapolis, IN

1974-1975

John Izard
Atlanta, GA

1975-1976

C. Brien Dillon
Houston, TX

1976-1977

Edwin S. Rockefeller
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1977-1978

Ira M. Millstein
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1978-1979

Allen C. Holmes
Cleveland, OH

1979-1980

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1980-1981

Harvey M.
Applebaum
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1981-1982

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Barnett
Houston, TX

1982-1983

Carla Anderson Hills
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1983-1984

Richard W. Pogue
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1984-1985

Richard A. Whiting
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1985-1986

James T. Halverson
University Park, FL

1986-1987

Mark Crane
Chicago, IL

1987-1988

James F. Rill
Washington, DC

1988-1989

Irving Scher
New York, NY

1989-1990

Harry M. Reasoner
Houston, TX

1990-1991

J. Thomas Rosch
Washington, DC

1991-1992

Robert P. Taylor
Palo Alto, CA

1992-1993

Michael L. Denger
Washington, DC

1993-1994

Alan H. Silberman
Chicago, IL

1994-1995

Caswell O. Hobbs
Alexandria, VA

1995-1996

John DeQ. Briggs,
Washington, DC

1996-1997

James R. Loftis, III
McLean, VA

1997-1998

Robert C.
Weinbaum
Royal Oaks, MI

1998-1999

Phillip A. Proger
Washington, DC

1999-2000

Janet L. McDavid
Washington, DC

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Ky P. Ewing, Jr.
Bethesda, MD

2001-2002

Roxane C. Busey
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Robert T. Joseph
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2003-2004

Kevin E. Grady
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Richard J. Wallis
Redmond, WA

2005-2006

Donald C. Klawiter
Washington, DC

2006-2007

Joseph Angland
New York, NY

2007-2008

Kathryn M. Fenton
Washington, DC

2008-2009

James A. Wilson
Columbus, OH

2009-2010

Ilene Knable Gotts
New York, NY

2010-2011

Allan Van Fleet
Houston, TX

2011-2012

Richard M. Steuer
New York, NY

2012-2013

Theodore Voorhees
Jr, Washington, DC

2013-2014

Christopher B.
Hockett
Menlo Park, CA

2014-2015

Howard Feller
Richmond, VA

2015-2016

Roxann E. Henry
Washington, DC

2016-2017

William C. MacLeod
Washington, DC

CONFERENCE CALENDAR

2018

JANUARY	31-February 6	ABA Midyear Vancouver
FEBRUARY	14-16	International Cartel Workshop Intercontinental Le Grand, Paris
APRIL	11-13	66th Spring Meeting Marriott Marquis, Washington, DC
MAY/JUNE	10	Global Seminar Series Dusseldorf
	17-18	Antitrust in Healthcare Ritz-Carlton Pentagon City, Arlington, VA
	24	Global Seminar Series Singapore
	31-June 1	Antitrust in Asia Four Seasons, Seoul
AUGUST	2-7	ABA Annual Meeting Chicago, IL
OCTOBER	18-20	Antitrust Masters Course Hyatt Regency Chesapeake Bay, Cambridge, MD
NOVEMBER	15	Fall Forum National Press Club, Washington, DC

2019

JANUARY	23-29	ABA Midyear Las Vegas, NV
FEBRUARY	TBD	Consumer Protection Conference Nashville, TN
MARCH	27-29	67th Spring Meeting Marriott Marquis, Washington, DC
MAY	TBD	Global Seminar Series TBD
	TBD	Global Private Litigation Conference Amsterdam or Berlin
JUNE	TBD	Antitrust in the Americas Buenos Aires

Additional information on Section activities can be found online at www.americanbar.org/antitrust.



FUTURE CONFERENCES



12TH INTERNATIONAL CARTEL WORKSHOP

FEBRUARY 14 – 16, 2018

InterContinental – Le Grand | Paris, France

ABA Conference Co-Chairs: D. Jarrett ARP & Roxann E. HENRY; IBA Conference Co-Chair: Elizabeth MORONY

www.ambar.org/atcartel | #atcartel

AGENDA

Wednesday, February 14

- 8:00 – 9:10 Pre-workshop sessions
9:10 – 9:30 Break
9:45 – 10:15 Presentation of the Hypothetical
10:15 – 11:30 1. Demonstration—A Public Company’s Board Grapples with Discovery of Misconduct, Options in Response, Corporate Governance & Other Issues
11:30 – 12:30 2. Demonstration—Outside Counsel Implement Board’s Leniency Directive Regarding EU Member States & Other Jurisdictions
12:30 – 13:30 Luncheon
13:30 – 14:45 3. Demonstration—A Company Seeks Markers in the United States, EU and Singapore
14:45 – 15:45 4. Demonstration—Search Warrants and Dawn Raids in Various Jurisdictions
15:45 – 16:05 Break
16:05 – 17:20 5. Demonstration—Government Authorities Coordinate After Raids
17:20 – 18:20 Wine Reception—Attendees are invited to network and discuss informally the day’s events.

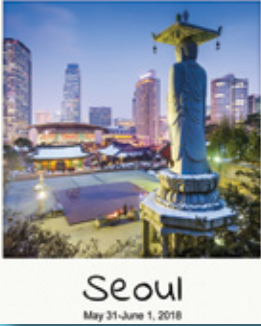
Thursday, February 15

- 08:30 – 09:30 6. Demonstration—The Defense Responds to the Government Investigation: A Company Subject to Searches Evaluates Next Steps
9:30 – 11:00 7. Demonstration—A Company Considers Personnel Decisions & Engages with Individual Counsel
11:00 – 11:20 Break
11:20 – 12:20 8. Demonstration—Counsel for an Individual Engages with the DOJ and Meets with the Client
12:20 – 13:30 Luncheon
13:30 – 15:30 9. Demonstration—Negotiating a Disposition in the United States
15:30 – 15:45 Break
15:45 – 17:45 10. Demonstration—Negotiated Resolutions: The Settlement Process Unfolds in the EC and Brazil & The EC Settlement Process Unfolds
17:45 – 18:30 Reception

Friday, February 16

- 08:45 – 10:15 11. Demonstration—A Company Develops a Strategy to Defend Against Charges
10:15 – 10:35 Break
10:35 – 12:40 12. Demonstration—A Brief Look at a Contested Criminal Trial
12:40 – 14:00 Luncheon
14:00 – 16:15 13. Roundtable—Enforcers Roundtable
16:15 – 16:30 Concluding Comments

Faculty is listed online at www.ambar.org/atcartel



ANTITRUST IN ASIA

MAY 31 – JUNE 1, 2018

Four Seasons | Seoul, Korea

ABA Conference Chair: Subrata BHATTACHARJEE

www.ambar.org/atasia | #atasia

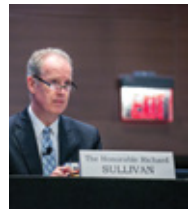
AGENDA

Thursday, May 31

- 8:30 – 8:35 Conference Opening
- 8:35 – 8:45 Welcome Remarks
- 8:45 – 9:45 Session I—Recent Developments In Korea
- 9:45 – 10:00 Coffee/Tea Break
- 10:00 – 11:30 Session II—Merger Review In North Asia
- 11:30 – 12:00 Keynote Address
- 12:00 – 13:00 Lunch
- 13:00 – 14:15 Session III—IP Licensing And Standard Essential Patents
- 14:15 – 14:30 Coffee/Tea Break
- 14:30 – 15:30 Session IV—Private Damages Actions – A New Frontier For Competition Law Enforcement In Asia?
- 15:30 – 17:00 Session V—In House Compliance Strategies In A Time Of Complexity
- 17:00 – 18:00 Reception

Friday, June 1

- 8:30 – 10:00 Session VI—Big Data And Competition Law Enforcement In Asia
- 10:00 – 10:30 Coffee/Tea Break
- 10:30 – 12:00 Session VII—Developments In Cartel Enforcement In Asia, U.S. And The European Union
- 12:00 – 13:30 Lunch
- 13:30 – 14:45 Session VIII—Confidentiality, Privilege And Procedural Transparency In Asian Competition Law Enforcement
- 14:45 – 15:00 Coffee/Tea Break
- 15:00 – 16:45 Session IX—Asian Enforcers' Roundtable
- 16:45 – 17:00 Closing Remarks
- 17:00 – 18:00 Reception



ABA SECTION OF ANTITRUST LAW SPRING MEETING APRIL 11-13, 2018



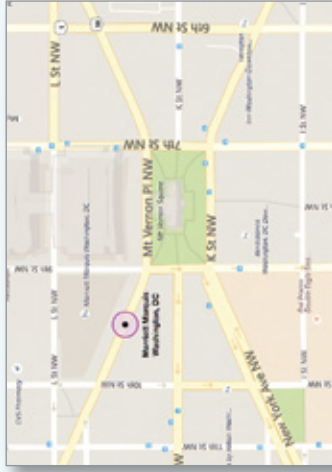
IMPORTANT DEADLINES

Early Discount February 5	Hotel Reservations March 13	Online Registration April 10 @ 10:00 CST	Social Media #atspring
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Online Registration & Reservations: www.ambar.org/atspring

CONFERENCE VENUE

Marriott Marquis Hotel
901 Massachusetts Avenue NW
Washington, DC 20001
T: +1.202.824.9200



TUESDAY TIMELINE

- 1:00-8:00 PM Registration Open
- 3:30-5:00 PM Pathways to Leadership Session
- 5:00-6:00 PM Young Lawyers & Law Student Happy Hour
- 5:30-7:00 PM Cocktails for Consumer Protection
- 6:00-7:00 PM Reception for International Enforcers



Did you know...

Section podcasts are available @
www.legaltalknetwork.com/podcasts or
<https://legaltalknetwork.com/?s=antitrust>

Important Numbers

ABA Section of Antitrust Law
312.988.5550 or 312.988.5609
www.ambar.org/antitrust

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