

SCHEDULE OF EVENTS-TUESDAY

TUESDAY, APRIL 5, 2016

1:00 – 7:00 pm

BOOKSTORE & REGISTRATION OPEN

3:30 – 5:00 pm

PATHWAYS TO LEADERSHIP

Presented by the Membership & Diversity Committee

Learn from Section Leaders how to leverage your Section membership, including how to utilize Section resources and maximize opportunities and professional relationships to help advance your career.

CHAIR:

- April J. TABOR, Attorney Advisor, Federal Trade Commission, Washington, DC

MODERATOR:

- Forrest W. TREAT, Attorney, Microsoft Corporation, Bellevue, WA

PANELISTS:

- Khaliyah BARNES, Associate Director and Director, Electronic Privacy Information Center, EPIC Student Privacy Project, Washington, DC
- Anna A. CHEHTOVA, Corporate Counsel, Tesoro Corporation, San Antonio, TX
- Rani A. HABASH, Dechert LLP, Washington, DC
- Samantha H. KNOX, Davis Polk & Wardwell LLP, Menlo Park, CA

5:30 – 6:30 pm

YOUNG LAWYERS & LAW STUDENT HAPPY HOUR

Penn Avenue Terrace (JW)

Have you been practicing for less 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.

6:00 – 7:00 pm

COCKTAILS FOR CONSUMER PROTECTION

Antitrust Bookstore (JW)

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 the Bookstore. 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.



SCHEDULE OF EVENTS-WEDNESDAY

WEDNESDAY, APRIL 6, 2016

7:30 am – 5:30 pm

BOOKSTORE & REGISTRATION OPEN

8:00 – 8:30 am

FIRST TIMERS COFFEE

First time attendees are invited to coffee with the Section Chair and the Spring Meeting Co-Chairs. Details will be emailed to first-time attendees closer to the conference.

8:30 – 10:30 am

RULES OF CONFLICTS: CONSIDERATIONS FOR ANTITRUST PRACTITIONERS ETHICS

Presented by the Competition Torts and Compliance & Ethics Committees

Recent legal developments involving attorney conflicts of interest in antitrust representations have made it imperative to understand the current state of the rules for both agency attorneys and private practitioners. This panel will focus on identifying ways of avoiding conflicts in light of recent judicial treatment of conflicts-based challenges and the best ways to navigate these challenges.

CHAIR AND MODERATOR:

- H. Holden BROOKS, Foley & Lardner LLP, Milwaukee, WI

SPEAKERS:

- Barry E. COHEN, Crowell and Moring LLP, Washington, DC
- Christopher J. MACAVOY, Baker Botts LLP, Washington, DC
- Anne PURCELL WHITE, Ethics Officer, U.S. Department of Justice, Antitrust Division, Washington, DC
- Dorothy G. RAYMOND, Law Offices of Dorothy Gill Raymond, Loveland, CO

8:45 – 11:45 am

FUNDAMENTALS - CONSUMER PROTECTION

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

Learn the fundamentals of U.S. consumer protection law, including the basics of false and deceptive advertising law, 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.

CHAIR:

- Kathryn L. FARRARA, Senior Counsel, Marketing, Unilever, Englewood Cliffs, NJ

MODERATOR:

- Kevin J. O'CONNOR, Godfrey & Kahn SC, Madison, WI

PANELISTS:

- Lauren B. ARONSON, Manatt Phelps & Phillips LLP, Washington, DC
- Megan OLSEN, Senior Counsel, Walgreens, Washington, DC
- Annette SOBERATS, Staff Attorney, Federal Trade Commission, Washington, DC

9:00 – 10:30 am

AGENCY UPDATE WITH THE DEPUTY ASSISTANT ATTORNEYS GENERAL

Presented by the Federal Civil Enforcement Committee

Hear directly from the Deputy Assistant Attorneys General about the latest in civil enforcement, cartel cases, and policy initiatives.

CHAIR AND MODERATOR:

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

PANELISTS:

- David GELFAND, Deputy Assistant Attorney General for Litigation, U.S. Department of Justice, Antitrust Division, Washington, DC
- Renata HESSE, Deputy Assistant Attorney General for Criminal & Civil Operations, U.S. Department of Justice, Antitrust Division, Washington, DC
- Sonia PFAFFENROTH, Deputy Assistant Attorney General for Civil Enforcement, U.S. Department of Justice, Antitrust Division, Washington, DC
- Nancy ROSE, Deputy Assistant Attorney General for Economic Analysis, U.S. Department of Justice, Antitrust Division, Washington, DC
- Brent C. SNYDER, Deputy Assistant Attorney General for Criminal Enforcement, U.S. Department of Justice, Antitrust Division, Washington, DC



SCHEDULE OF EVENTS-WEDNESDAY

9:00 – 10:30 am

CAVEAT EMPTOR: WHEN ARE BUYING GROUPS ILLEGAL?

Presented by the International Committee

Most joint ventures are considered to be efficiency-enhancing. Recently that view has come under fire, with high-profile criminal and civil cases filed regarding employee poaching, leveraged buyouts, and nurses' wages, among others. An international panel of practitioners will debate the following proposition, Resolved: Buying groups are efficiency enhancing and should be presumptively legal.

CHAIR & MODERATOR:

- Casey W. HALLADAY, McMillan LLP, Toronto

SPEAKERS:

- David HULL, Van Bael & Bellis, Brussels
- Paul S. JIN, Wilson Sonsini Goodrich & Rosati PC, Washington, DC
- Paula RIEDEL, Kirkland & Ellis LLP, London
- Barbara ROSENBERG, Barbosa Müssnich Aragão, São Paulo

9:00 – 10:30 am

FLYING INTO TROUBLE?

Presented by the Pricing Conduct Committee

It wasn't too long ago that airline mergers were a hot topic in antitrust. Now the mergers are complete (or mostly complete) and the merged companies are under investigation for alleged pricing collusion. What does this say about the merger review process and pricing practices in concentrated industries?

CHAIR:

- James K. NICHOLS, Dorsey & Whitney, Minneapolis, MN

MODERATOR:

- Bernard A. NIGRO, Fried Frank Harris Shriver & Jacobson LLP, Washington, DC

SPEAKERS:

- John D. HARKRIDER, Axinn Veltrop & Harkrider LLP, New York, NY
- Paula RENDER, Jones Day, Washington, DC
- Steve SALOP, Georgetown University, Washington, DC

9:00 – 10:30 am

HOT TOPICS UNDER THE HSR ACT

Presented by the Mergers & Acquisitions Committee

Clearing the premerger notification process under the Hart-Scott-Rodino Act is an important part of many M&A transactions. However, keeping current with new issues and developments can be challenging. Join a panel of experienced HSR practitioners, including the Deputy Assistant Director of the FTC's Premerger Notification Office, to discuss current important issues under the HSR Act.

CHAIR AND MODERATOR:

- Robert L. MAGIELNICKI, Sheppard Mullin Richter & Hampton LLP, Washington, DC

SPEAKERS:

- Michele S. HARRINGTON, Hogan Lovells US LLP, McLean, VA
- Paul B. HEWITT, Akin Gump Strauss Hauer & Feld LLP, Washington, DC
- Sydney M. SMITH, Latham & Watkins LLP, Washington, DC
- Kathryn E. WALSH, Deputy Assistant Director, Premerger Notification Office, Bureau of Competition, Federal Trade Commission, Washington, DC

9:00 – 10:30 am

NATIVE ADVERTISING: BLURRED LINES BETWEEN ADS/CONTENT

Presented by the Advertising Disputes & Litigation, Consumer Protection, and Media & Technology Committees

Weaving a commercial message into editorial content on the web—news feeds, videos, social media—is the way of the future. Are these ads at all or protected noncommercial speech? Subliminal advertising or just product placement? This panel will explore the guidance given by the FTC in its recent workshop report including disclosure requirements and best practices to avoid enforcement.

CHAIR & MODERATOR:

- Amy E. RALPH MUDGE, Venable LLP, Washington, DC

SPEAKERS:

- Laura BRETT, Assistant Director, National Advertising Division, New York, NY
- Jim DUDUKOVICH, Marketing, Digital & Social Media Counsel, The Coca-Cola Company, Atlanta, GA
- Mary K. ENGLE, Associate Director, Advertising Practices Division, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC



CONSUMER PROTECTION TRACK



INTERNATIONAL TRACK



LITIGATION TRACK



NETWORKING FUNCTION

SCHEDULE OF EVENTS-WEDNESDAY

9:00 – 10:30 am

PRIVATE JURY TRIALS: REALITY OR REALITY TV?

Presented by the Competition Torts Committee

As court dockets crowd and the costs of delay mount, some practitioners are turning to private jury trials to combine the best aspects of trial practice and alternative dispute resolution in complex business cases. Might antitrust cases be next? Join this lively discussion and explore the possibilities and practicalities of this emerging medium.

CHAIR & MODERATOR:

- Rachel J. ADCOX, Axinn Veltrop & Harkrider LLP, Washington, DC

SPEAKERS:

- Patricia A. HASTINGS, EDGE Litigation Consulting LLC, St. Petersburg, FL
- D. Bruce HOFFMAN, Hunton & Williams LLP, Washington, DC
- William A. ISAACSON, Boies Schiller & Flexner LLP, Washington, DC
- Vaughn R. WALKER, Law Office of Vaughn R. Walker, San Francisco, CA

10:45 am – noon

EXCLUSIONARY OR NOT? PRODUCT HOPPING AND REMS

Presented by the Health Care & Pharmaceuticals and State Enforcement Committee

A number of patent life extension strategies have been the focus of recent litigation, including “product hopping” and risk evaluation and management strategies “REMS”. What are the key cases and legislative developments? What policy standards make sense? How should plaintiffs and defendants position their case? What are the tough cross questions for experts?

CHAIR:

- Nicholas A. WIDNELL, Boies Schiller & Flexner LLP, Washington, DC

MODERATOR:

- Seth C. SILBER, Wilson Sonsini Goodrich & Rosati PC, Washington, DC

SPEAKERS:

- George G. GORDON, Dechert LLP, Philadelphia, PA
- Peter KOHN, Faruqi & Faruqi LLP, Jenkintown, PA
- Fiona M. SCOTT MORTON, Yale School of Management, New Haven, CT
- Eric J. STOCK, Chief, Antitrust Bureau, Office of the Attorney General, New York, NY

10:45 am – noon

MARIJUANA, TWENTY-THREE STATES AND COUNTING

Presented by the Agriculture & Food, Distribution & Franchising, and Exemptions & Immunities Committees

Twenty-three states have legalized marijuana in some form in the U.S., four recreationally. This panel will smoke out the current status of state and federal laws and the constitutional, competitive and consumer protection issues that are being raised as states legalize and create unique regulated distribution systems for selling medical and recreational marijuana.

CHAIR:

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

MODERATOR:

- Danica NOBLE, Chair, Antitrust, Consumer Protection & Unfair Business Practices, Washington State Bar Association, Seattle, WA

SPEAKERS:

- Hilary BRICKEN, Harris Moure, Seattle, WA
- Steve FOX, Vicente Sederberg, Denver, CO
- Melissa HART, University of Colorado, Boulder, CO
- Mark KLEIMAN, University of California Los Angeles, Los Angeles, CA

10:45 am – noon

MONETARY REMEDIES IN FTC CONSUMER PROTECTION ACTIONS

Presented by the Consumer Protection Committee

The FTC’s authority to obtain monetary remedies in consumer protection matters has been questioned in recent litigation. Some complain the FTC’s approach lacks principle and transparency, and ignores economics. Has the FTC overreached, does it possess the breadth of authority it claims, and should it consider providing greater clarity and guidance regarding its approach to monetary relief?

CHAIR & MODERATOR:

- M. Sean ROYALL, Gibson Dunn & Crutcher LLP, Dallas, TX

SPEAKERS:

- Howard BEALES, George Washington University School of Business, Washington, DC
- Robin L. MOORE, Staff Attorney, Division of Enforcement, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC
- David C. VLADECK, Georgetown University Law Center, Washington, DC



SCHEDULE OF EVENTS-WEDNESDAY

10:45 am – noon

NON-REPORTABLE TRANSACTIONS: EXPECT THE UNEXPECTED

Presented by the Mergers & Acquisitions Committee

U.S. antitrust agencies have recently challenged a number of transactions that fell below reporting thresholds. We will discuss ways to handle non-reportable transactions that raise antitrust concerns, how parties can protect themselves contractually, obtaining pre-closing review, how to work with the agencies in the absence of HSR deadlines, remedies, and risks outside of the U.S.

CHAIR & MODERATOR:

- James W. LOWE, WilmerHale, Washington, DC

SPEAKERS:

- Dorothy FOUNTAIN, Assistant Chief, Litigation II Section, U.S. Department of Justice, Antitrust Division, Washington, DC
- Ilene KNABLE GOTTS, Wachtell Lipton Rosen & Katz, New York, NY
- Michael R. MOISEYEV, Assistant Director, Mergers I, Bureau of Competition, Federal Trade Commission, Washington, DC
- Mark OSTRU, Fenwick & West LLP, Mountain View, CA

10:45 am – noon

ONE DIRECTIVE, MANY DIRECTIONS: GLOBAL DAMAGES LITIGATION

Presented by the International Committee

The race for the best antitrust litigation forum is on as EU nations implement the new Damages Actions Directive in 2016. Europe's highest court recently defined the options for filing a single claim against multiple (and foreign) defendants. Our panel will identify strategies for forum shopping, arbitration, collective redress, and settlements in key jurisdictions around the globe.

CHAIR:

- Matthew HALL, McGuireWoods LLP, Brussels

MODERATOR:

- John M. TALADAY, Baker Botts LLP, Washington, DC

SPEAKERS:

- Thomas FUNKE, Osborne Clarke, Köln
- Megan JONES, Hausfeld, San Francisco, CA
- Paul JONES, Jones & Co., Toronto
- Avaantika KAKKAR, Khaitan & Co, Mumbai

10:45 am – noon

PROCEDURAL FAIRNESS: AN AGENCY BALANCING ACT?

Presented by the International Committee

International competition agencies vary in providing parties access to confidential information, disclosing information and making decisions. We will examine the ICN's recent Guidance on Investigative Process and discuss whether agencies are striking the right balance on protecting confidentiality and the rights of defendants and making transparent allegations and fair decisions.

CHAIR AND MODERATOR:

- Jonathan S. GOWDY, Morrison & Foerster LLP, Washington, DC

SPEAKERS:

- Cecil S. CHUNG, Yulchon LLC, Seoul
- Paul O'BRIEN, Counsel for International Affairs, Federal Trade Commission, Washington, DC
- Blanca RODRIGUEZ-GALINDO, Head of Unit, COMP A5 – International Relations, European Commission, Brussels
- Charles WEBB, Antitrust Global Subject Matter Leader, Senior Director II, Regulatory Compliance, Walmart International, Bentonville, AR



SCHEDULE OF EVENTS-WEDNESDAY

10:45 am – noon

VIEWS FROM THE BENCH ON NON-MERGER CIVIL & CRIMINAL CASES

Presented by the Federal Civil Enforcement, Joint Conduct, and Trial Practice Committees
Antitrust cases don't go to trial...or do they? Civil and non-merger cases have been tried both to judges and to juries with growing frequency. Hear from the presiding judges over some of the most important cases and learn what you need to do to be effective in your next case.

CHAIR & MODERATOR:

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

SPEAKERS:

- The Honorable Susan ILLSTON, Judge, U.S. District Court, Northern District of California, San Francisco, CA
- The Honorable William G. YOUNG, Judge, U.S. District Court, District of Massachusetts, Boston, MA
- The Honorable Claudia WILKEN, Judge U.S. District Court, Northern District of California, San Francisco, CA

Noon – 1:30 pm

SECTION LUNCHEON (TICKETS AVAILABLE FOR PURCHASE)

Salons D-F (JW)

SPEAKER:

- Stephen CALKINS, Wayne State University, Detroit, MI

1:45 – 3:15 pm

CLARIFYING LIABILITY IN HUB-AND-SPOKE CONSPIRACIES

Presented by the Distribution & Franchising Committee

Despite cases dating back to Interstate Circuit in 1939, analysis of liability in hub-and-spoke conspiracies remains uncertain as evidenced by 2-1 panel decisions by the Second Circuit in e-Books and by the Ninth Circuit in Guitar Center in 2015. The key legal, economic, and evidentiary issues affecting liability in hub-and-spoke cases and the various analytical approaches will be discussed.

CHAIR & MODERATOR:

- Craig G. FALLS, Dechert LLP, Washington, DC

SPEAKERS:

- Joseph ANGLAND, White & Case LLP, New York, NY
- Rachel S. BRASS, Gibson Dunn & Crutcher LLP, Washington, DC
- Jim FREDERICKS, Assistant Chief, Appellate Section, U.S. Department of Justice, Antitrust Division, Washington, DC
- Celeste SARAVIA, Cornerstone Research, San Francisco, CA

1:45 – 3:15 pm

FUNDAMENTALS - ANTITRUST

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

CHAIR AND MODERATOR:

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

PANELISTS:

- Norman ARMSTRONG JR, King & Spalding LLP, Washington, DC
- Kathleen FOOTE, Senior Assistant Attorney General, Office of the Attorney General, San Francisco, CA
- Christopher L. SAGERS, Cleveland-Marshall College of Law, Cleveland State University, Cleveland, OH
- Marguerite S. WILLIS, Nexsen Pruet LLC, Columbia, SC



SCHEDULE OF EVENTS-WEDNESDAY

1:45 – 3:15 pm

GUPPI-BASED HARBOR: SAFE OR PERILOUS?

Presented by the Economics, Federal Civil Enforcement and Mergers & Acquisitions Committees
In the recent dollar store merger, the FTC Commissioners disagreed on the proper application of a Guppi-based approach to analyzing mergers. How effective is the GUPPI as a tool/screen for predicting competitive effects and/or establishing a safe harbor? How does the GUPPI measure up to an HHI-based safe harbor?

CHAIR & MODERATOR:

Joanna TSAI, Charles River Associates, Washington, DC

SPEAKERS:

- Paul T. DENIS, Dechert LLP, Washington, DC
- Joseph FARRELL, University of California Berkeley, Berkeley, CA
- Henry SU, Attorney Advisor, Office of Chairwoman Edith Ramirez, Federal Trade Commission, Washington, DC
- Joshua D. WRIGHT, George Mason University School of Law, Arlington, VA

1:45 – 3:15 pm

IN RETROSPECT: IN-DEPTH LOOK AT KEY CONSUMER PROTECTION CASES

Presented by the Consumer Protection and State Enforcement Committees
This will be a review of some of the more significant recent cases from the FTC and the states: the FTC January 2014 settlement with Nissan and their advertiser regarding a deceptive car performance ad; and from the states, the recent cramming settlements. This in-depth look will cover the nature of the claims, issues in negotiations, and key final terms.

CHAIR:

- Richard P. LAWSON, Director, Consumer Protection, Office of the Attorney General, Tallahassee, FL

MODERATOR:

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

SPEAKERS:

- Elizabeth B. CHUN, Assistant Attorney General, Office of the Attorney General, Austin, TX
- Matthew D. GOLD, Staff Attorney, Western Region, Federal Trade Commission, San Francisco, CA
- Alysa Z. HUTNIK, Kelley Drye & Warren LLP, Washington, DC
- Ronald R. URBACH, Davis and Gilbert, New York, NY

1:45 – 3:15 pm

SIMPLIFYING EXPERT EVIDENCE TO ACHIEVE BETTER RESULTS

Presented by the Global Private Litigation Committee
Legal cases worldwide require courts to make merits decisions about competing economic experts. The size and complexity of expert reports, which inevitably include regression analyses, present difficult case management issues. Join a federal judge, international practitioners and an economic expert in exploring ways to make experts more user-friendly in the U.S. and internationally.

CHAIR & MODERATOR:

- Melissa H. MAXMAN, Cozen O'Connor, Washington, DC

SPEAKERS:

- Richard J. GILBERT, University of California Berkeley, Berkeley, CA
- Prudence J. SMITH, Jones Day, Sydney
- The Honorable Jon S. TIGAR, Judge, U.S. District Court for the Northern District of California, San Francisco, CA
- Adam B. WOLFSON, Quinn Emanuel Urquhart & Sullivan LLP, Los Angeles, CA



SCHEDULE OF EVENTS-WEDNESDAY

1:45 – 3:15 pm

TECHNOLOGY, BIG DATA AND JURIES: WHAT PERSUADES?

Presented by the Agriculture & Food and Trial Practice Committees

When presenting antitrust cases in the court room, what persuades? Flashy technology with big data or simple oral argument with a few props? Top attorneys and a psychologist will hash out different ways to best prove a single argument in a hypothetical price-fixing case in the agriculture industry. You choose the winner using voting technology.

CHAIR:

- Vandy M. HOWELL, Cornerstone Research, San Francisco, CA

MODERATOR:

- Scott A. MARTIN, Hausfeld, New York, NY

SPEAKERS:

- Christopher M. CURRAN, White & Case LLP, Washington, DC
- Richard G. PARKER, O'Melveny & Myers LLP, Washington, DC
- Barbara A. SPELLMAN, University of Virginia Law School, Charlottesville, VA
- Margaret M. ZWISLER, Latham & Watkins LLP, Washington, DC

1:45 – 3:15 pm

THE FTC AND THE NEW FRONTIER OF PRIVACY

Presented by the Federal Civil Enforcement and Privacy & Information Security Committees

After the Wyndham case, what does the future hold for the FTC's privacy and data security enforcement? What are the ramifications of the FTC's efforts to boost its technology expertise to deal with emerging technologies like the growing number of internet-connected devices. Hear about new challenges to privacy that innovation is creating, and FTC policies on emerging technologies.

CHAIR:

- Eugene BURRUS, Assistant General Counsel, Microsoft Corporation, Redmond, WA

MODERATOR:

- Gail I. LEVINE, Vice President & Associate General Counsel, Public Policy, Verizon Communications, Inc., Washington, DC

SPEAKERS:

- The Honorable Julie BRILL, Commissioner, Federal Trade Commission, Washington, DC
- Eileen HERSHENOV, Yonkers, NY
- Janis KESTENBAUM, Perkins Coie, Washington, DC
- Robert MAHINI, Senior Policy Counsel, Google Inc., Washington, DC

3:30 – 5:00 pm

A GOOD NAME - BREACHES OF NON-FINANCIAL DATA

Presented by the Compliance & Ethics, Privacy & Information Security, and State Enforcement Committees

Exploring the breadth of data sought by hackers, including corporate espionage, blackmail, and general mischief, we will delve into our panelists' experience and explore ways to reduce exposure risks for law firms and their clients.

CHAIR:

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

MODERATOR:

- Lisa J. SOTTO, Hunton & Williams LLP, New York, NY

PANELISTS:

- Robert DUNCAN, Chief Information Security Officer, Euronext, London
- Matthew F. FITZSIMMONS, Head of Privacy and Data Security Department, Office of the Attorney General, Washington, DC
- Leah WEIL, Senior Executive Vice President and General Counsel, Sony Pictures Entertainment, Los Angeles, CA

FIRESIDE CHATS WITH FOREIGN ENFORCERS

Penn Avenue Terrace (JW)

During selected times on Wednesday & 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.



SCHEDULE OF EVENTS-WEDNESDAY

3:30 – 5:00 pm

ANTITRUST/IP GUIDELINES WORLDWIDE: MORE GUIDANCE NEEDED?

Presented by the Intellectual Property and International Committees & International Task Force
Intellectual property-antitrust issues are increasingly important in China, the EU, the U.S. and worldwide. Are current national IP-antitrust guidelines adequate, or is more guidance needed? Is international coordination on standards and other matters adequate? What improvements are needed? Hear the perspectives of senior government officials and top practitioners in “IP-antitrust space.”

CHAIR:

- Alden F. ABBOTT, Heritage Foundation, Washington, DC

MODERATOR:

- Hartmut SCHNEIDER, WilmerHale, Washington, DC

SPEAKERS:

- Nicholas BANASEVIC, Head of Unit DG Competition, European Commission, Brussels
- Marta GINER, Norton Rose Fulbright, Paris
- Suzanne MUNCK, Chief Counsel for Intellectual Property, Federal Trade Commission, Washington, DC
- Mark S. POPOFSKY, Ropes & Gray LLP, Washington, DC

3:30 – 5:00 pm

FROM DAWN RAID TO A NEGOTIATED PLEA

Presented by the International Cartel Task Force

Current and former DOJ prosecutors, DG Comp officials, as well as experienced practitioners discuss the multi-phased aspects of global cartel investigations beginning with the dawn raid and culminating into a resolution by plea agreement or settlement. The panel will address the challenges faced by prosecutors and defendants in navigating multiple jurisdictions and how to balance corporate and individual interests along the way.

CHAIR & MODERATOR:

- Heather S. TEWKSBURY, WilmerHale, Palo Alto, CA

SPEAKERS:

- Marisa TIERNO CANTELLA, Deputy Head of Unit Cartels, DG Competition, European Commission, Brussels
- Niall E. LYNCH, Latham & Watkins LLP, San Francisco, CA
- Graciela M. RODRIGUEZ, King & Spalding LLP, Washington, DC
- Kalina M. TULLEY, Assistant Chief, U.S. Department of Justice, Antitrust Division, Chicago, IL

3:30 – 5:00 pm

FUNDAMENTALS - ECONOMICS

Presented by the Economics Committee

Understanding basic economic principles is critical to antitrust analysis. Four economists will teach basic economic principles related to antitrust analysis, including market definition, market power, competitive effects and econometrics. The session will provide an introduction to concepts and techniques that appear repeatedly in the economic analysis of antitrust issues.

CHAIR:

- Donald K. STOCKDALE JR, Bates White Economic Consulting, Washington, DC

MODERATOR:

- Michael KHEYFETS, Edgeworth Economics, Washington, DC

SPEAKERS:

- Debra J. ARON, Navigant Economics, Chicago, IL
- Keith J. BRAND, Economist, Federal Trade Commission, Washington, DC
- Nicholas HILL, Assistant Section Chief, U.S. Department of Justice, Antitrust Division, Washington, DC
- Paola VALENTI, Columbia University, New York, NY



SCHEDULE OF EVENTS-WEDNESDAY

3:30 – 5:00 pm

GLOBAL PRIVATE SETTLEMENTS: PREFERRED PATHS TO RESOLUTION?

Presented by the Global Private Litigation Committee

As private enforcement regimes develop, resolving disputes efficiently and effectively is of increasing interest. Claimants want compensation without undue delay or cost. Defendants want to quantify and crystallize liability and move on. Experienced litigators will discuss how international settlements play out, focusing on driving factors, pathways, timing, impediments, and favorable outcomes.

CHAIR & MODERATOR:

- Judith ZAHID, Zelle LLP, San Francisco, CA

SPEAKERS:

- Jeroen KORTMANN, Stibbe, Amsterdam
- Jon LAWRENCE, Freshfields Bruckhaus Deringer, London
- Anke MEIER, Noerr, Frankfurt
- Reidar MOGERMAN, Camp Fiorante Matthews Mogerman, Vancouver

3:30 – 5:00 pm

MOCK ORAL ARGUMENT: “NATURAL” CLASS CERTIFICATION MOTION

Presented by the Advertising Disputes & Litigation, Consumer Protection, and Trial Practice Committees

Two leading class action litigators will square off to argue a class certification motion in a false advertising case before a federal judge. The parties will explore the issues of advertising and labeling foods “natural.”

CHAIR & MODERATOR:

- Jessie F. BEEBER, Venable LLP, New York, NY

SPEAKERS:

- To be identified, District Court Judge
- Stephen GARDNER, Stanley Law Group, Dallas, TX
- Kenneth K. LEE, Jenner & Block LLP, Los Angeles, CA

3:30 – 5:00 pm

PLAY BALL: WHAT RULES ARE REASONABLE?

Presented by the Trade, Sports & Professional Associations Committee

The past year has seen new developments in litigation challenging various aspects of the NCAA’s regulation of college sports, ticket resale practices, and professional sports team relocations. This panel will discuss the most recent rulings in these cases and explore their implications for other competitor collaborations in amateur and professional sports and beyond.

CHAIR & MODERATOR:

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

SPEAKERS:

- Joel G. CHEFITZ, McDermott Will & Emery LLP, Chicago, IL
- David GREENSPAN, Winston & Strawn LLP, New York, NY
- Damon T. JONES, Senior Vice President and General Counsel, Washington Nationals, Washington, DC
- Kimberly K. KEFALAS, Schiff Hardin LLP, Ann Arbor, MI

3:30 – 5:00 pm

PRESENTING ECONOMIC EVIDENCE IN MERGER TRIALS

Presented by the Economics, Mergers & Acquisitions, and Trial Practice Committees

The outcome of merger trials can turn on the resolution of conflicting economic testimony and whether that testimony is intelligible and consistent with a recognized theory of harm and the record “facts.” The Sysco and H&R Block trials are two examples. What is a proper “SSNIP” test (with and without a data rich record)? What do “price discrimination” markets look like? A debate will ensue.

CHAIR & MODERATOR:

- Ian SIMMONS, O’Melveny & Myers LLP, Washington, DC

SPEAKERS:

- Timothy F. BRESNAHAN, Stanford University, Department of Economics, Palo Alto, CA
- Deborah L. FEINSTEIN, Director, Bureau of Competition, Federal Trade Commission, Washington, DC
- Mark A. ISRAEL, Compass Lexecon, Washington, DC
- Daniel M. WALL, Latham & Watkins LLP, San Francisco, CA



SCHEDULE OF EVENTS-WED/THURS

3:30 – 5:00 pm

WOMEN IN ANTITRUST: DOES GENDER MATTER?

Presented by the Antitrust Magazine

Does gender matter in terms of which attorney will be hired to represent a corporation or individual in an antitrust investigation or litigation? Are law firms training and promoting both genders equally to succeed in antitrust practice? What challenges and/or opportunities might women face as they specialize in criminal or civil antitrust enforcement or defense? Come explore the issues.

CHAIR & SPEAKER:

- Lisa M. PHELAN, Chief, Washington Criminal I Section, U.S. Department of Justice, Antitrust Division, Washington, DC

MODERATOR:

- Howard FELLER, McGuireWoods LLP, Richmond, VA

SPEAKERS:

- Molly S. BOAST, WilmerHale, New York, NY
- Janet L. McDAVID, Hogan Lovells LLC, Washington, DC
- Vanessa TURNER, Allen & Overy LLP, London

5:00 – 6:00 pm

WELCOME RECEPTION AT THE JW

Mix and mingle with the leadership of the Section of Antitrust Law. Representatives from each committee will be available at designated tables to answer your questions about the Section, committee activities and membership. Your badge is your ticket to attend.

5:30 – 6:30 pm

PLAINTIFFS' RECEPTION TICKETED EVENT

Registered attorneys from the plaintiffs' bar are invited to join their peers and the Section Reach Task Force 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. Details will be emailed closer to the Spring Meeting.

THURSDAY, APRIL 7, 2016

7:30 am – 5:30 pm

BOOKSTORE & REGISTRATION OPEN

8:30 – 10:00 am

BRICS RISKS: PRACTICAL ANTITRUST IN THE BRICS

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

Our panel of expert practitioners will highlight what you need to know when faced with an antitrust matter before the increasingly active competition agencies of Brazil, Russia, India, China and South Africa. Discussion will focus on key practical issues in cartel, merger and unilateral conduct enforcement, and address analytical, procedural and industrial policy concerns

CHAIR & MODERATOR:

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

SPEAKERS:

- Janet Y. HUI, Jun He Law Offices, Beijing
- Carlos RAGAZZO, Fundação Getúlio Vargas, Rio de Janeiro
- Nisha Kaur UBEROI, Cyril Amarchand Mangaldas, Mumbai
- Mark D. WHITENER, Executive Counsel, Competition Law & Policy, General Electric Company, Washington, DC



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, as *parens patriae*, and as purchasers of goods and services. Join our panelists, representing antitrust and consumer protection bureaus from across the country, as we discuss recent enforcement activities and the ongoing missions of state enforcement agencies.

CHAIR:

- Elinor R. HOFFMANN, Deputy Chief, Antitrust Bureau, Office of the Attorney General, New York, NY

MODERATOR:

- Paul SINGER, Deputy Chief, Consumer Protection Division, Office of the Attorney General, Austin, TX

SPEAKERS:

- Victoria BUTLER, Central Florida Bureau Chief, Consumer Protection Division, Office of the Attorney General, Tampa, FL
- Beth A. FINNERTY, Assistant Section Chief, Antitrust Section, Office of the Attorney General, Columbus, OH
- Jonathan A. MARK, Senior Assistant Attorney General, Office of the Attorney General, Seattle, WA
- Christina M. MOYLAN, Assistant Attorney General, Office of the Attorney General, Augusta, ME

8:30 – 10:00 am

CONSUMERS V. THE PUBLIC INTEREST: DIVERGENT MERGER STANDARDS?

Presented by the Media & Technology and Transportation & Energy Industries Committees

What do Comcast/Time Warner Cable and Exelon/PEPCO have in common? Both transactions remind us that proposed mergers in many industries are subject to multiple layers of regulatory review. Antitrust standards and “public interest” standards do not always converge. We will explore the array of legal issues posed by this cacophony and how parties can harness it to serve their interests.

CHAIR:

- Shimica GASKINS, Senior Counsel, Acting Chief of Staff, U.S. Department of Justice, Office of Legal Policy, Washington, DC

MODERATOR:

- David L. MEYER, Morrison & Foerster LLP, Washington, DC

SPEAKERS:

- Thomas O. BARNETT, Covington & Burling LLP, Washington, DC
- Jamillia P. FERRIS, Wilson Sonsini Goodrich & Rosati PC, Washington, DC
- Diana L. MOSS, American Antitrust Institute, Washington, DC
- William H. STALLINGS, Mayer Brown LLP, Washington, DC

8:30 – 10:00 am

LENIENCY PROGRAM AND COOPERATION POST FINANCIAL CRISIS

Presented by the Antitrust Law Journal and Cartel & Criminal Practice Committee

Since 2012, there have been a number of global cartel investigations that involve coordinated efforts by both the Criminal and Antitrust Divisions, of the U.S. Department of Justice as well as U.S. and overseas regulators. In the wake of these complex investigations, companies are considering anew what it takes to cooperate successfully in cartel investigations, and what are the potential outcomes.

CHAIR:

- Alan R. DIAL, King & Spalding LLP, Washington, DC

MODERATOR:

- Eric GRANNON, White & Case LLP, Washington, DC

SPEAKERS:

- James M. GRIFFIN, King & Spalding LLP, Washington, DC
- Amy B. MANNING, McGuireWoods LLP, Chicago, IL
- Brent C. SNYDER, Deputy Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
- Phillip H. WARREN, Covington & Burling LLP, San Francisco, CA



SCHEDULE OF EVENTS-THURSDAY

8:30 – 10:00 am

PRICE WAR: RECONCILING CONFLICTING NATIONAL PRICING RESTRAINTS

Presented by the Distribution & Franchising, Economics, and Pricing Conduct Committees

Economic laws do not stop at geographic borders, but the U.S., Canada, EU, Asia, and other areas vary in how they treat pricing restraints such as conditioned discounts, Internet sales and national account restrictions, MFN clauses, RPM, MAP, slotting allowances, and agency/consignment arrangements. The panel will examine how companies can develop effective, yet legal, global distribution policies.

CHAIR & MODERATOR:

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

SPEAKERS:

- Joy K. FUYUNO, Director of Competition Law for Asia, Microsoft Corporation, Singapore
- Yong HUANG, University of International Business and Economics, Beijing
- Robert E. KWINTER, Blakes Cassels & Graydon LLP, Toronto
- Jorge PADILLA, Compass Lexecon, Madrid

8:30 – 10:00 am

PRIVACY: LAW FIRM ETHICAL AND LEGAL OBLIGATIONS

Presented by the Civil Practice & Procedure, Compliance & Ethics, and Privacy & Information Security Committees

This program explores the ethical and legal obligations of law firms and lawyers to protect client and employee data including best practices on setting up a compliant global privacy program and protecting against cybersecurity attacks.

CHAIR & MODERATOR:

- Aryeh S. FRIEDMAN, Vice President, Associate General Counsel and Chief Privacy Officer, Dun & Bradstreet, Short Hills, NJ

SPEAKERS:

- J. Keith MULARSKI, FBI Supervisory Special, Cyber Squad, The Federal Bureau of Investigation, Pittsburgh, PA
- Peter SWIRE, Alston & Bird LLP, Atlanta, GA
- Patricia WAGNER, Epstein Becker, Washington, DC
- Eric J. WILSON, Godfrey & Kahn SC, Milwaukee, WI

8:30 – 10:00 am

TAMING THE BEAST - CORPORATE COUNSEL SPEAK

Presented by the Agriculture & Food and Corporate Counseling Committees

Experienced in-house counsel provide a frank discussion on what they face when managing complex antitrust litigation and investigations. Panel members share what they want from litigators, how to best manage process and cost, and the reasons for their increasingly active role in strategic decisions and expert selection.

CHAIR:

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

MODERATOR:

- Susan A. CREIGHTON, Wilson Sonsini Goodrich & Rosati PC, Washington, DC

SPEAKERS:

- Bradford A. BERENSON, Vice President, Litigation & Legal Policy, General Electric Company, Fairfield, CT
- Alex D. MADRAZO, Vice President, Division General Counsel-Commercial and Operations, Dean Foods Company, Dallas, TX
- Bernadette MIRAGLIOTTA, Group Counsel, American Express Company, New York, NY



SCHEDULE OF EVENTS-THURSDAY

8:30 – 10:00 am

THE DIGITAL SINGLE MARKET: WINNERS AND LOSERS

Presented by the Media & Technology and Unilateral Conduct Committees

The EU's far reaching Digital Single Market proposal is both an opportunity and a threat. The DSM will open up online cross border retail competition; but it also contemplates regulating online platforms. The latter proposal raises interesting questions for antitrust practitioners. Is ex ante regulation needed? What about ex post antitrust enforcement?

CHAIR & SPEAKER:

- Abigail SLATER, Vice President, Legal & Regulatory Policy, The Internet Association, Washington, DC

MODERATOR:

- Laura COLLINS, Freshfields Bruckhaus Deringer, Washington, DC

SPEAKERS:

- Gerald BREI, Homburger AG, Zurich
- Andrea GLORIOSO, Counsellor, Digital Economy/Cyber, European Commission, Washington, DC
- Michael LAWRENCE, Senior Competition Counsel, Google, Inc., Mountain View, CA

10:15 am – noon

CHAIR'S SHOWCASE: EXAMINING THE PER SE RULE

How can the per se rule apply in a criminal trial without invading the province of the jury? What is the difference between "hardcore" and per se conduct? Is the rule clear enough to give notice of when purpose and effect become irrelevant? Has the line between vertical and horizontal become too blurred to control when the rule applies?

CHAIR AND MODERATOR:

- Roxann E. HENRY, Morrison & Foerster LLP, Washington, DC

PANELISTS:

- The Honorable Katherine B. FORREST, Judge, U.S. District Court for the Southern District of New York, New York, NY
- Hillary J. GREENE, University of Connecticut, Hartford, CT
- Carl SHAPIRO, University of California Berkeley Haas School of Business, Berkeley, CA
- Seth P. WAXMAN, WilmerHale, Washington, DC

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

DIVESTITURE SUFFICIENCY - I CAN'T GET NO SATISFACTION

Presented by the Civil Practice & Procedure and Federal Civil Enforcement Committees

Divestiture remedies are often the most strategically challenging aspects of merger practice. What do the enforcement agencies want to see in a prospective buyer? When must parties identify the buyer up front? Is litigating the fix a viable strategy? Panelists will debate the relative merits of these remedy approaches.

CHAIR:

- Eric J. WILSON, Godfrey & Kahn SC, Madison, WI,

MODERATOR:

- M.J. MOLTENBREY, Paul Hastings LLP, Washington, DC

SPEAKERS:

- Jacqueline L. GRISE, Cooley LLP, Washington, DC
- The Honorable Maureen K. OHLHAUSEN, Commissioner, Federal Trade Commission, Washington, DC
- Sharis A. POZEN, Vice President, Global Competition and Antitrust, General Electric Company, Washington, DC
- Steven C. SUNSHINE, Skadden Arps Slate Meagher & Flom LLP, Washington, DC



1:30 – 3:00 pm

INTERNATIONAL PERSPECTIVES ON ONLINE VERTICAL RESTRAINTS

Presented by the Distribution & Franchising and Unilateral Conduct Committees with the International Task Force

With online commerce's dynamic growth, antitrust enforcers and practitioners are increasingly focused on the potential competition issues raised by online vertical restraints. This panel will contrast international approaches to these restraints and discuss implications for counsel advising clients with worldwide operations.

CHAIR:

- Krisztian KATONA, Counsel for International Antitrust, Federal Trade Commission, Washington, DC

MODERATOR:

- Sean P. GATES, Morrison & Foerster LLP, Los Angeles, CA

SPEAKERS:

- Eleanor M. FOX, New York University School of Law, New York, NY
- Thomas KRAMLER, Head of Digital Single Market Task Force, European Commission, Brussels
- Andreas MUNDT, President, Bundeskartellamt, Bonn
- Deirdre TRAPP, Freshfields Bruckhaus Deringer, London

1:30 – 3:00 pm

RISKY BUSINESS: THE BOOM IN ADVERTISING ENFORCEMENT

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

One of the busiest years on record for consumer protection enforcement and litigation was marked by major FTC litigation, the emergence of the FCC as a consumer protection agency, major actions by the CFPB and states, a steady drumbeat of class actions, and a sudden surge in Lanham Act litigation. What's behind this swirling maelstrom? Are companies really lying to consumers more than ever?

CHAIR & MODERATOR:

- Christopher A. COLE, Crowell & Moring LLP, Washington, DC

SPEAKERS:

- Lesley FAIR, Attorney, Federal Trade Commission, Washington, DC
- Andrea C. LEVINE, Director, National Advertising Division, New York, NY
- Karl A. RACINE, Attorney General, District of Columbia, Office of the Attorney General, Washington, DC

1:30 – 3:00 pm

VIEWS FROM THE BENCH ON MERGER CASES

Presented by the Federal Civil Enforcement and Mergers & Acquisitions Committee

There has been an uptick in the number of merger cases that have gone to trial. Hear from judges who have presided over some of these challenging and rigorously contested cases as they discuss with our panel lessons and observations from the trial of a merger case.

CHAIR & MODERATOR:

- Gary P. ZANFAGNA, Chief Antitrust Counsel, Honeywell International, Inc., New York, NY

CO-MODERATOR:

- Mary N. Lehner, FRESHFIELDS Bruckhaus Dennger LLP, Washington, DC

SPEAKERS:

- The Honorable John D. BATES, Judge U.S. District Court, District of Columbia, Washington, DC
- The Honorable Amit P. MENTA, Judge U.S. District Court, District of Columbia, Washington, DC
- The Honorable Lynn WINMILL, Judge U.S. District Court, District of Idaho, Boise, ID



SCHEDULE OF EVENTS-THURSDAY

1:30 – 5:00 pm

MOCK TRIAL

Presented by the Trial Practice Committee

No matter the reason, a more aggressive enforcement policy or more daring parties, mergers have returned to the courthouse. Come watch as two distinguished trial teams tackle some of the same issues tried in the government's recent cases. Enjoy the opportunity to observe and learn how a jury responds to these issues and the economics on which they sometimes turn.

CHAIR & MODERATOR:

- Brian K. GRUBE, Jones Day, Cleveland, OH

SPEAKERS:

- Gil CALVILLO, FTI Consulting Inc, Los Angeles, CA
- Ethan GLASS, Assistant Chief, Litigation III Section, U.S. Department of Justice, Antitrust Division, Washington, DC
- Margaret E. GUERIN-CALVERT, Compass Lexecon, Washington, DC
- The Honorable Eduardo C. ROBRENO, Senior Judge, U.S. District Court for the Eastern District of Pennsylvania, Philadelphia, PA
- John E. SCHMIDTLEIN, Williams & Connolly LLP, Washington, DC
- Joshua H. SOVEN, Gibson Dunn & Crutcher LLP, Washington, DC
- Stephen WEISSMAN, Baker & Botts LLP, Washington, DC
- Darrell L. WILLIAMS, Charles River Associates, Los Angeles, CA

3:15 – 5:00 pm

HOT TOPICS

Antitrust and consumer protection policy, enforcement, and litigation change every day with vital issues constantly surfacing. This Hot Topics session will focus on today's news, tomorrow's trends, and a review of how the past year has set the stage.

SPRING MEETING CO-CHAIRS AND MODERATORS:

- Paul H. FRIEDMAN, Dechert LLP, Washington, DC
- Margaret A. WARD, Jones Day, Menlo Park, CA

PANELISTS:

- Deborah A. GARZA, Covington & Burling LLP, Washington, DC
- Jonathan L. GLEKLEN, Arnold & Porter LLP, Washington, DC
- William E. KOVACIC, George Washington University Law School, Washington, DC
- The Honorable Terrell MCSWEENEY, Commissioner, Federal Trade Commission, Washington, DC

3:15 – 5:00 pm

SUBSTANTIATING CLAIMS WITH REVIEWS AND CROWDSOURCED DATA

Presented by the Advertising Disputes & Litigation and Consumer Protection Committees

In light of the evolution of advertising media and the rise of data, is it time to re-think what kind of evidence is required to substantiate advertising claims and how research is evaluated? Customer reviews and crowdsourced data are powerful tools for marketers, but can they be used to substantiate advertising claims? How can companies ensure that their reliance upon science and reviews are compliant?

CHAIR & MODERATOR:

- David G. MALLEEN, Loeb & Loeb LLP, New York, NY

SPEAKERS:

- Sally L. DAVIS, Corporate Counsel, SC Johnson, Racine, WI
- Andrew SACKS, Vice President, Legal, T-Mobile-USA, Seattle, WA
- Aaron SCHUR, Senior Director of Litigation, Yelp Inc, San Francisco, CA
- Serena VISWANATHAN, Assistant Director, Division of Advertising Practices, Federal Trade Commission, Washington, DC

3:15 – 5:00 pm

TELEMEDICINE: ARE OLD DEFINITIONS RESTRICTING COMPETITION? **DEBATE**

Presented by the Exemptions & Immunities and Health Care & Pharmaceuticals Committees

With evolving efforts to deliver medical care, as well as legal services, are States restricting competition? Will State action restrict delivery of professional services or will new definitions be applied? See a debate on the pending Teledoc case that is challenging restrictions in Texas as an antitrust violation and hear about the lawsuit brought by LegalZoom against North Carolina. Resolved: That the state should be able to limit telemedicine in the best interest of patients.

CHAIR & MODERATOR:

- Layne E. KRUSE, Norton Rose Fulbright US LLP, Houston, TX

SPEAKERS:

- Jack R. BIERIG, Sidley Austin LLP, Chicago, IL
- Leah BRANNON, Cleary Gottlieb Steen & Hamilton LLP, Washington, DC
- Ellen S. COOPER, Chief, Antitrust Division, Office of the Attorney General, Baltimore, MD
- Peter D. KENNEDY, Graves Dougherty Heaton & Moody, Austin, TX



3:15 – 5:00 pm

WHAT HAPPENS WHEN COLLUSION AND CORRUPTION MEET?

Presented by the Cartel & Criminal Practice, Compliance & Ethics and International Committees
Collusion and corruption often go hand in hand, but prosecutions often are handled separately. How far do antitrust and anticorruption laws reach? When and why do enforcers collaborate in fighting collusion and corruption, and how does it impact strategies for investigating, defending and settling cases? What are the best practices for compliance? Join us for a discussion involving enforcers, prosecutors and defense experts in the field.

CHAIR & SPEAKER:

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

MODERATOR:

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

SPEAKERS:

- Juliette ENSER, Director, Cartel Enforcement, Competition and Markets Authority, London
- Eduardo FRADE RODRIGUES, General Superintendent, Conselho Administrativo de Defesa Economica (CADE), Brasília
- Mary STRIMEL, Chief, Washington Criminal II Section, U.S. Department of Justice, Antitrust Division, Washington, DC

7:30 pm

SECTION DINNER *(TICKETS AVAILABLE FOR PURCHASE)*

Grand Ballroom (JW)

Enjoy an evening of dining and our special keynote speaker with your friends and colleagues at the Section Dinner. Table and individual tickets are available for purchase.

FRIDAY, APRIL 8, 2016

7:30 am – noon

BOOKSTORE & REGISTRATION OPEN

8:15 – 9:45 am

AGENCY UPDATE WITH THE FTC BUREAU DIRECTORS

Presented by the Federal Civil Enforcement Committee

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.

CHAIR & MODERATOR:

- William C. MACLEOD, Kelley Drye & Warren LLP, Washington, DC

SPEAKERS:

- Deborah L. FEINSTEIN, Director, Bureau of Competition, Federal Trade Commission, Washington, DC
- Ginger JIN, Director, Bureau of Economics, Federal Trade Commission, Washington, DC
- Jessica L. RICH, Director, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC



SCHEDULE OF EVENTS-FRIDAY

8:30 – 9:45 am

FROM ALGERIA TO ZIMBABWE: COMPETITION IN AFRICA

Presented by the International and Mergers & Acquisitions Committees

Merger control regimes span most of the African continent. Despite a growing body of precedent, there is uncertainty about the manner in which standard merger control tests are interpreted and enforced in key regimes on the continent. This panel will consider the influences on substantive merger control tests, public interest provisions, jurisdictional disputes and procedures and timelines.

CHAIR & MODERATOR:

- Mary K. MARKS, Davis Polk & Wardwell LLP, New York, NY

SPEAKERS:

- Rajeev HASNAH, Managing Director, Blue Delta Advisory, Ebene
- Anne KIUNUHE, Anjarwalla & Khanna, Nairobi
- John OXENHAM, Nortons Inc, Sandton

8:30 – 9:45 am

HEALTH CARE EXPANSION: GOOD FOR CONSUMERS?

Presented by the Health Care & Pharmaceuticals and State Enforcement Committees

Providers are looking to reduce costs and manage population health under the ACA. Many have acquired physician groups and have launched or acquired health plans and health plans are adding physicians. How is the ACA driving these changes? Is it good for consumers to have the hospitals, physicians, and health plans aligned? Are there efficiencies? How should agencies review these mergers?

CHAIR:

- Michael A. GLEASON, Jones Day, Washington, DC

MODERATOR:

- Christine WHITE, Vice President, Northwell Health, Great Neck, NY

SPEAKERS:

- Katherine AMBROGI, Attorney Advisor to Commissioner Julie Brill, Federal Trade Commission, Washington DC
- Cory CAPPS, Bates White, Washington, DC
- Melinda HATTON, Senior Vice President and General Counsel, American Hospital Association, Washington, DC
- Joseph MILLER, Crowell & Moring, Washington, DC

8:30 – 9:45 am

MONOPOLIZATION ACROSS BORDERS

Presented by the International and Unilateral Conduct Committees

Competition policies across the globe target behavior designed to achieve or maintain dominant power. However, the definition of a dominant firm and the types of conduct that offend the antitrust laws differ widely. Our experts will discuss divergent liability standards for single-firm conduct across jurisdictions, focusing on market definition, exclusionary conduct, innovation, and intent.

CHAIR:

- Rebecca VALENTINE, Attorney, U.S. Department of Justice, Antitrust Division, Washington, DC

MODERATOR:

- Jonathan H. TODT, Drinker Biddle & Reath LLP, Washington, DC

SPEAKERS:

- Terry CALVANI, Freshfields Bruckhaus Deringer, Washington, DC
- Lynda K. MARSHALL, Assistant Chief, Foreign Commerce, U.S. Department of Justice, Antitrust Division, Washington, DC
- Mathias TRAUB, Head of Antitrust Law, Robert Bosch GmbH, Stuttgart
- Spencer WEBER WALLER, Loyola University Chicago School of Law, Chicago, IL



8:30 – 9:45 am

“NEW AND IMPROVED” EFFECTIVE ANTITRUST COMPLIANCE PROGRAMS

Presented by the Cartel & Criminal Practice, Compliance & Ethics, and Corporate Counseling Committees

Compliance program recommendations are coming from everywhere: enforcers in the U.S., Canada, and Brazil are the most recent to lay out new and expanded expectations. Companies know they need to make program enhancements, but they aren’t sure how. This panel will examine and synthesize the newest recommendations and provide practical guidance to help companies update their compliance programs.

CHAIR & MODERATOR:

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

PANELISTS:

- Kathleen M. BEASLEY, Vice President, Legal and Assistant General Counsel, Vizient, Inc., Irving, TX
- Timothy BRIDGEFORD, Executive Director - Antitrust Compliance Lead, J.P. Morgan, New York, NY
- Dean V. HOFFMAN, Associate General Counsel and Compliance, RegionAmericas, DB Schenker, Tarrytown, NY
- Suzanne E. WACHSSTOCK, Vice President and Chief Antitrust Counsel, American Express Company, New York, NY

8:30 – 9:45 am

PRIVACY LANDMINES IN CROSS-BORDER INFORMATION GATHERING

Presented by the Consumer Protection Committee

This session will explore how multinational organizations in different sectors navigate the changed landscape for the transfer of data across borders and expose hidden privacy compliance landmines that may arise when internal investigations, civil discovery or government enforcement require a party to seek information abroad.

CHAIR & MODERATOR:

- Thomas F. ZYCH, Thompson Hine LLP, Cleveland, OH

SPEAKERS:

- Paula BRUENING, Senior Counsel, Global Privacy Policy, Intel Corporation, Washington, DC
- Hugh STEVENSON, Deputy Director, Office of International Affairs, Federal Trade Commission, Washington, DC
- Hilary WANDALL, AVP, Compliance & Global Privacy, Merck & Co., Inc., Kenilworth, NJ

10:00 am – noon

ENFORCERS’ ROUNDTABLE

Grand Ballroom (JW)

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. The Roundtable is always a concluding highlight of the Spring Meeting—don’t miss it!

CHAIR AND QUESTIONER:

- Roxann E. HENRY, Morrison & Foerster LLP, Washington, DC

QUESTIONER:

- Brian R. HENRY, Vice President and Senior Managing Counsel, The Coca-Cola Company, Atlanta, GA

PANELISTS:

- The Honorable William J. BAER, Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
- Victor J. DOMEN Jr., Chair, Multistate Antitrust Task Force, National Association of Attorneys General, Nashville, TN
- John PECMAN, Commissioner of Competition, Competition Bureau Canada, Gatineau, Quebec
- The Honorable Edith RAMIREZ, Chairwoman, Federal Trade Commission, Washington, DC
- Margrethe VESTAGER, Commissioner for Competition, European Commission, Brussels

Customized CLE certificates to be emailed to IL and NY attorneys

To receive customized certificate: DE and IL attorneys must sign in for each session they attend. NY attorneys must sign in and out for each session they attend. All IL and NY attorneys must add an email to their profiles at www.myaba.com to receive certificate.