Program timeline

Monday, June 2, 2008

Registration

2:45-3:00 p.m.

Conference program

3:00-6:00 p.m.

Bates White, LLC 1300 Eye Street, NW, Suite 600 Washington, DC 20005

Reception, dinner, and keynote address

6:00-9:00 p.m.

Ronald Reagan Building and International Trade Center Rotunda Room 1300 Pennsylvania Avenue, NW Washington, DC 20004

Keynote speaker:

FTC Chairman William Kovacic

Registration

Registration is complimentary. To confirm your attendance or for more information, please email Natalie Fike at natalie.fike@bateswhite.com or call her at 202.747.1431. Please indicate whether you plan to attend the afternoon session, reception and dinner, or both.

CLE credit is pending.

Bates White, LLC

Bates White is an economic consulting firm distinguished by the application of advanced economic, financial, and econometric theory to the analysis of antitrust matters. The firm specializes in complex, data-intensive matters that require innovative problem solving. Bates White is a recognized leader for work involving deep empirical analysis and our experts have played a critical role in some of the highest profile antitrust cases in history.

www.bateswhite.com

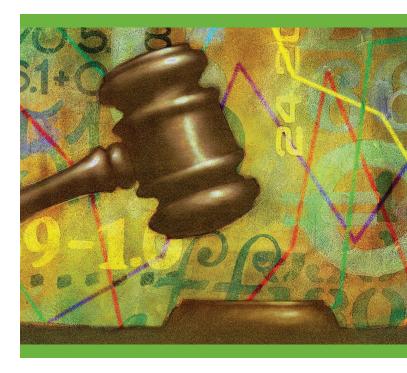
ESMT Competition Analysis

ESMT Competition Analysis is a subsidiary consulting firm of ESMT European School of Management and Technology. The firm's philosophy mirrors the international management school's research-based, high-impact approach. It provides economic analysis, expert advice, and research in the field of competition policy and regulation. ESMT Competition Analysis experts have academic and industry expertise, as well as extensive EU competition-policy experience.

www.esmt.org/competition_analysis

Bates White Fifth Annual Antitrust Conference

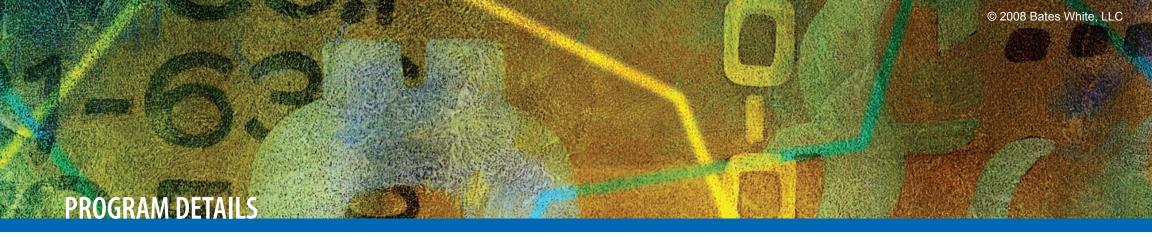
The Use of Economic Evidence in Litigation



Please join **Bates White** and **ESMT Competition Analysis**, along with leading antitrust economists, government officials, and attorneys, for a program that explores how economic evidence is used in litigation.

Monday, June 2, 2008 Washington, DC





The use of economic evidence in litigation

Recent case outcomes suggest that economic evidence is having a more prominent role in court decisions. For example, in *PeaceHealth*, the court adopted a significant portion of the AMC test for bundled discounts. In *Whole Foods*, despite contradictory intent documents, the judge chose to rely on the parties' critical loss analysis in assessing competitive effects and market definition. There are even stronger examples coming out of the European Commission.

Given the increasing importance of economic evidence to prove and defend against antitrust claims, how is this evidence best presented? When different types of analyses can lead to the same conclusion, how do you determine the most effective one to use? While simple analyses might be easier to understand, they can also be subject to criticism that the results are confounded by variables that were not considered. If you present complicated analyses, courts and juries might find it difficult to interpret the results. So is it better to present an analysis that strikes the appropriate balance, or should you present both the simple and complicated analyses?

Join our distinguished speakers as they discuss recent developments and share their experiences in presenting economic evidence in the United States and Europe.

Reception, dinner, and keynote address

To cap off the day, Bates White and ESMT Competition Analysis will host a reception and dinner at the Ronald Reagan Building and International Trade Center. It will feature opportunities to network with leading academics and other antitrust attorneys in an informal setting.

FTC Chairman William Kovacic will give the keynote address.

Academic participants

More than 30 academic economists will be participating, including the following individuals affiliated with Bates White:

Dr. Hans Friederiszick

Managing Director of ESMT Competition Analysis

Dr. Robert Marshall

Head of Economics Department and Liberal Arts Research Professor of Economics, Penn State University

Dr. Leslie Marx

Professor of Economics, The Fuqua School of Business, Duke University

Dr. Aviv Nevo

Professor of Economics, Northwestern University

Dr. Martin Perry

Professor of Economics, Rutgers University

Dr. Marius Schwartz

Professor of Economics, Georgetown University

Dr. Michael Whinston

Professor of Business Institutions, Northwestern University

Speakers

Economists

B. Douglas Bernheim

Stanford University Professor and Bates White Partner

Lars-Hendrik Röller

ESMT President and former Chief Competition Economist, EC

Government officials

William Kovacic

FTC Chairman

Thomas Rosch

FTC Commissioner

David L. Meyer

Deputy Assistant Attorney General for Civil Enforcement, Antitrust Division, DOJ

Antitrust attorneys

William Baer

Practice Chair, Antitrust/Competition and Consumer Protection Practice, Arnold & Porter

Paul T. Denis

Cochair, Antitrust/Competition Group, Dechert

Steven C. Sunshine

Partner, Antitrust Practice, Skadden Arps, Slate, Meagher & Flom

Moderator

George A. Rozanski

Partner, Antitrust Practice, Bates White