



MARCH 23-26, 2021 SCHEDULE OF EVENTS | ALL TIMES: EASTERN TIME ZONE | AS OF 3.22

TUESDAY, MARCH 23

8:45–8:55 AM

WELCOME & GLOBAL GREETINGS

9:00–9:30 AM

THE FUTURE OF ANTITRUST KAFFEEKLATSCH

We invite law students, young economists, and young lawyers to start off the morning with a virtual coffee and time to talk shop with friends & colleagues.

9:30–10:30 AM

FUNDAMENTALS—ANTITRUST

Learn antitrust fundamentals from experienced panelists from government and private practice. This session is essential for less-experienced competition lawyers and experienced litigators and competition lawyers who want to be clear on the core elements of U.S. laws and institutions, basic economic principles, and competition law outside the United States.

SESSION CHAIR & MODERATOR:

Elizabeth A. N. HAAS, Foley & Lardner LLP, Milwaukee, WI

SPEAKERS:

- Victor J. DOMEN, Norton Rose Fulbright US LLP, Washington, DC
- Elyse DORSEY, Antonin Scalia Law School—George Mason University, Arlington, VA
- Erica C. LAI, Cohen & Gresser LLP, Washington, DC

10:45–11:45 AM

FUNDAMENTALS—CONSUMER PROTECTION

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

Representing a variety of perspectives, this panel will provide an introduction to consumer protection law, including privacy, data security, and advertising & marketing law.

SESSION CHAIR & MODERATOR:

Alysha MANJI-KNIGHT, Davies Ward Phillips & Vineberg LLP, Toronto

SPEAKERS:

- Andrea ARIAS, Attorney, Division of Privacy & Identity Protection, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC
- Hal HODES, Senior Attorney, National Advertising Division (NAD), Better Business Bureau National Programs Inc., New York, NY
- Charles F. TAYLOR, Corporate Counsel, Global Marketing & Communications Legal, Salesforce, San Francisco, CA

12:00–1:00 PM

FUNDAMENTALS—ECONOMICS

Presented by the Economics Committee

Understanding key economic concepts is critical to presenting persuasive antitrust arguments. The proliferation of new and more sophisticated economic tools has made practitioners' obtaining and refreshing their understanding even more important. Listen as leading economists break down these concepts and explain how to use them to enhance your arguments.

SESSION CHAIR & MODERATOR:

Robert B. MCNARY, Deputy Attorney General, Antitrust Section, Office of the Attorney General, Los Angeles, CA

SPEAKERS:

- Elizabeth M. BAILEY, NERA Economic Consulting, Berkeley, CA
- Ted C. ROSENBAUM, Economist, Federal Trade Commission, Washington, DC
- Celeste C. SARAVIA, Cornerstone Research, San Francisco, CA

1:00–2:00 PM

PATHWAYS TO LEADERSHIP

Presented by the Membership, Diversity & Inclusion Committee

Would you like to become a leader in antitrust or consumer protection law? To enhance your career and grow professionally? Get tips and pointers as Section leaders share their pathways to success and strategies for using Section membership to enhance and develop your career. *Please note CLE will not be offered for this session.*

SESSION CHAIR & MODERATOR:

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

SPEAKERS:

- Amy B. MANNING, McGuireWoods LLP, Chicago, IL
- Carlos MENA LABARTHE, Creel Garcia-Cuellar Aiza Y Enriquez SC, Mexico City
- Anora Y. WANG, Davis Wright Tremaine LLP, Washington, DC

2:00–4:00 PM

LIGHTS, CAMERA, ETHICS: WHAT HOLLYWOOD TEACHES US

Presented by the Compliance & Ethics Committee

Movie/TV versions of lawyers—from John Grisham films to *My Cousin Vinny*, *Suits* and *Legally Blonde*—may push the boundaries of the Model Rules of Professional Ethics as they strive to win. Using scenes from these movies, we will examine ethical dilemmas frequently faced by antitrust and consumer protection lawyers. *This session will be offered with ethics credits.*

SESSION CHAIR & MODERATOR:

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

SPEAKERS:

- Atleen KAUR, Attorney, Ann Arbor, MI
- James H. MUTCHNIK, Kirkland & Ellis LLP, Chicago, IL
- Elizabeth PREWITT, Latham & Watkins LLP, New York, NY
- Caroline ZISER SMITH, Gibson Dunn & Crutcher LLP, Washington, DC

4:00–5:00 PM

SPRING SOCIAL

Similar to the days in DC, networking opportunities will be available for those who want to get a head start on registration and visiting with friends. An added bonus, will be the opportunity to learn more about the committees of the Section.

WEDNESDAY, MARCH 24

9:00–9:40 AM

CONVENING WITH COFFEE

Start off your day caffeinated and energized. This online gathering is an opportunity to share a coffee or tea, while catching up with other Spring Meeting attendees & faculty.

9:40–9:45 AM

CHAIR'S WELCOME

9:45–9:55 AM

ABA PRESIDENT'S WELCOME & GLOBAL GREETINGS

10:00–11:00 AM

CONCURRENT CLE SESSIONS

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. Join them to learn the latest in civil enforcement, cartel cases, and policy initiatives.

SESSION CHAIR & MODERATOR:

Jonathan I. GLEKLEN, Arnold & Porter Kaye Scholer LLP, Washington, DC

SPEAKERS:

- Kathleen S. O'NEILL, Senior Director of Investigations & Litigation, U.S. Department of Justice, Antitrust Division, Washington, DC

- Richard A. POWERS, Acting Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
- Marvin N. PRICE, Jr., Director of Criminal Enforcement, U.S. Department of Justice, Antitrust Division, Washington, DC
- Jeffrey M. WILDER, Economics Director of Enforcement, U.S. Department of Justice, Antitrust Division, Washington, DC

ANTITRUST & ANTIRACISM: WHAT LIES AHEAD?

Presented by the Diversity.Advanced Initiative of the Membership, Diversity & Inclusion Committee and Women.Connected Committee

The past year prompted deep reflections on equity, equality, and diversity – including in the antitrust community. Come hear thought leaders reflect on how the concepts of racial equity and social justice influence current and future legal doctrines, enforcement decisions, and the markets antitrust law protects.

SESSION CHAIR & MODERATOR:

Deona T. KALALA, Alston & Bird LLP, Atlanta, GA

SPEAKERS:

- J. Anthony CHAVEZ, Senior Counsel, Mergers & Acquisitions, Exxon Mobil Corporation, Houston, TX
- The Hon. Bernice B. DONALD, U.S. Circuit Judge, U.S. Court of Appeals for the Sixth Circuit, Memphis, TN
- D. Bruce HOFFMAN, Cleary Gottlieb Steen & Hamilton LLP, Washington, DC
- Leslie C. OVERTON, Axinn Veltrop & Harkrider LLP, Washington, DC

EUROPE AND SCHREMS II: WHAT'S NEXT?

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

A European Court upended a specific framework for cross-border data transfers to the U.S. What are the implications of this ruling? This session will discuss how companies can manage this shifting terrain, including using standard contractual clauses and binding corporate rules, to facilitate business between EU and non-EU countries.

SESSION CHAIR & MODERATOR:

Deon M. WOODS BELL, Senior Advisor, Financial Services for the Poor, The Bill and Melinda Gates Foundation Washington, DC

SPEAKERS:

- Bruno GENCARELLI, Head, International Data Flows and Protection Unit, DG Competition, European Commission, Brussels
- Anwesa PAUL, Chief Privacy Counsel, American Express, New York, NY
- Peter SWIRE, Alston & Bird LLP, Atlanta, GA
- Mark WEBBER, Fieldfisher LLP, Palo Alto, CA

STRATEGIES FOR COMMISSIONER MEETINGS IN CP CASES

Presented by the Advertising Disputes & Litigation, Consumer Protection, and Federal Civil Enforcement Committees

When consumer protection cases cannot be resolved with FTC staff, the next step is to meet with the Commissioners and then, in certain cases, with DOJ. When is this the right choice? What's the best strategy for Commissioner and DOJ meetings? What works? What doesn't? This panel will share their experiences and rules of the road for Commissioner and DOJ meetings.

SESSION CHAIR & MODERATOR:

Donnelly L. MCDOWELL, Kelley Drye & Warren LLP, Washington, DC

SPEAKERS:

- James C. COOPER, Antonin Scalia Law School—George Mason University, Arlington, VA
- Christine L. DELORME, Attorney, Division of Advertising Practices, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC
- Gustav W. EYLER, Director, Consumer Protection Branch, U.S. Department of Justice, Civil Division, Washington, DC
- Jessica RICH, Georgetown University Law Center, Washington, DC

WHITHER (OR WITHER) THE CONSUMER WELFARE STANDARD?

Presented by the Future of Competition Law Standards Task Force

The consumer welfare standard, long used for antitrust analysis in the U.S. and elsewhere, is under political, scholarly, and business attack. Critics claim it fails adequately to account for technological change, data privacy, and other concerns. Listen to thought leaders discuss whether the standard should be retained, refined, or replaced.

SESSION CHAIR & MODERATOR:

Richard M. STEUER, Mayer Brown LLP, New York, NY

SPEAKERS:

- Abbott B. LIPSKY, Antonin Scalia Law School—George Mason University, Arlington, VA
- Michelle MEAGHER, Co-Founder, Inclusive Competition Forum, London
- Andreas MUNDT, President, Bundeskartellamt, Bonn
- Sharis A. POZEN, Clifford Chance LLP, Washington, DC

11:10-11:30AM

A VIEW FROM THE HILL

Please join in for a conversation with former FTC Commissioner Terrell McSweeney and Senator Klobuchar who serves as Chairwoman on the Senate Judiciary Subcommittee on Competition Policy, Antitrust, and Consumer Rights.

DISCUSSANTS:

- The Hon. Amy J. Klobuchar, U.S. Senator (D-Minnesota), Washington, DC
- Terrell MCSWEENEY, Covington & Burling LLP, Washington, DC

11:30AM–12:30PM

CONCURRENT CLE SESSIONS

2020 VISION: POST-PANDEMIC MERGER REVIEW

Presented by the Mergers & Acquisitions Committee

The pandemic challenged and changed industries around the globe. How will the past year impact the analysis of mergers and the merger review process going forward? Are there practical lessons to learn from the pandemic's disruptive impact and should the established approaches to market definition or economic modelling be revisited?

SESSION CHAIR & MODERATOR:

Anita BANICEVIC, Davies Ward Phillips & Vineberg LLP, Toronto

SPEAKERS:

- Norman A. ARMSTRONG, JR., King & Spalding LLP, Washington, DC
- Andrea COSCELLI, Chief Executive, Competition and Markets Authority (CMA), London
- Rebecca KIRK FAIR, Analysis Group, Boston, MA
- Bernard A. NIGRO, Fried Frank Harris Shriver & Jacobson LLP, Washington, DC

CONSUMER PROTECTION REMEDIES

Presented by the Advertising Disputes & Litigation, Consumer Protection, and Federal Civil Enforcement Committees

The FTC's authority to seek equitable remedies including disgorgement was challenged in the U.S. Supreme Court. This session will explain the basis of the appeal, explore the arguments for and against the FTC's authority, and consider the implications of the Court's decision for FTC enforcement policy.

SESSION CHAIR & MODERATOR:

Kay Lynn BRUMBAUGH, GIACT Systems LLC, Allen, TX

SPEAKERS:

- Bikram BANDY, Chief Litigation Counsel, Federal Trade Commission, Washington, DC
- Stephen COHELL, Cochell Law Firm, Houston, TX
- Caprice L. ROBERTS, The George Washington University Law School, Washington, DC
- John E. VILLAFRANCO, Kelley Drye & Warren LLP, Washington, DC

CRYSTAL BALL GAZING: POST-ELECTION ANTITRUST

Presented by the Legislation Committee and Transition Task Force

Elections can shift enforcement priorities. What do, and should, the next four years hold for the DOJ and FTC? Our distinguished panel discusses the substantive and procedural issues on the agencies' plates and what the Section's Transition Task Force recommends.

SESSION CHAIR & MODERATOR:

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

SPEAKERS:

- William J. BAER, Brookings Institution, Washington, DC
- Debbie FEINSTEIN, Arnold & Porter LLP, Washington, DC
- Deborah A. GARZA, Covington & Burling LLP, Washington, DC
- The Hon. Douglas H. GINSBURG, Senior U.S. Circuit Judge, U.S. Court of Appeals for the District of Columbia Circuit, Washington, DC

INTERNATIONAL CARTEL COOPERATION: HAS THE NEEDLE MOVED?

Presented by the Cartel & Criminal Practice and International Committees, and International Cartel Task Force

Last year the International Cartel Workshop analyzed current challenges and trends in the coordination of global cartel enforcement. The International Competition Network then released guidance aimed at enhancing cross-border leniency cooperation. But in 2021 is coordinated cartel enforcement still a priority for antitrust authorities around the world?

SESSION CHAIR & MODERATOR:

Beatriz MEJIA, Cooley LLP, San Francisco, CA

SPEAKERS:

- Alexandre CORDEIRO MACEDO, Superintendent General, Brazilian Administrative Council for Economic Defense (CADE), Brasilia
- Aimee L. IMUNDO, International Counsel, U.S. Department of Justice, Antitrust Division, Washington, DC
- Maria JASPERS, Director of Cartels, DG Competition, European Commission, Brussels
- Brent SNYDER, Wilson Sonsini Goodrich & Rosati PC, San Francisco, CA

TECH FIRM CONDUCT: “HYPERCOMPETITIVE” OR “ANTICOMPETITIVE”?

Presented by the Media & Technology, State Enforcement, and Unilateral Conduct Committees

Tech firms are facing investigations and lawsuits, subjecting their technologies and business models to intensive antitrust scrutiny. This session will discuss the theories of these cases and whether current antitrust standards suffice—or need to be adapted—to address the challenges presented by Big Tech.

SESSION CHAIR:

Daniel P. WEICK, Solo Practitioner, New York, NY

MODERATOR:

Kara SWISHER, Journalist, Vox Media, *New York Times*, Washington, DC

SPEAKERS:

- Nicholas BANASEVIC, Head of Unit Responsible for Directorate C (Tech), DG Competition, European Commission, Brussels
- Markham ERICKSON, Vice President Government Affairs & Public Policy-Centers of Excellence, Google Inc., Washington, DC
- Dina SRINIVASAN, Fellow - Thurman Arnold Project, Yale University, New Haven, CT
- Joshua D. WRIGHT, Antonin Scalia Law School—George Mason University, Arlington, VA

12:40–1:25 PM

SECTION SOCIAL

This online gathering is an opportunity for a break in the action to enjoy casual conversations, and quality time, with competition, consumer protection, and data privacy enthusiasts from around the globe.

1:30–2:30 PM

CONCURRENT CLE SESSIONS

APP STORES: AN ABUSE OF MONOPOLY POWER?

Presented by the Global Private Litigation, Intellectual Property, and Media & Technology Committees

What should antitrust make of platforms such as Apple’s App Store? This academic question has come into sharper focus following the Supreme Court’s *Pepper* decision, high-stakes litigation by the makers of Fortnite, and government investigations. Come hear a robust discussion about how antitrust can stimulate tech innovation while preserving competition.

SESSION CHAIR & MODERATOR:

Kathleen P. WALLACE, Jones Day, Boston, MA

SPEAKERS:

- Jamie BOYER, Korein Tillery, St. Louis, MO
- Neil CHILSON, Charles Koch Institute, Arlington, VA
- Mark A. LEMLEY, Stanford Law School, Stanford, CA
- Linsey MCCALLUM, Deputy Director-General Antitrust, DG Competition, European Commission, Brussels

CONSUMER PROTECTION YEAR IN REVIEW

Presented by the Advertising Disputes & Litigation and Consumer Protection Committees

2020 was a busy year for regulators and self-regulators grappling with cutting-edge enforcement issues stemming from the COVID19 pandemic such as consumer refunds, claim substantiation, and price gouging, as well as endorsements, consumer reviews used for claims substantiation, privacy, and more. Hear from the people in the trenches regarding current enforcement priorities and initiatives.

SESSION CHAIR & MODERATOR:

John C. DRAKE, Litigation Counsel, Energizer Holdings, St. Louis, MO

SPEAKERS:

- Lesley A. FAIR, Senior Attorney, Federal Trade Commission, Washington, DC
- Gregory W. FORTSCH, Associate General Counsel, Privacy Officer, The Nature's Bounty Company, New York, NY
- The Hon. Karl A. RACINE, Attorney General, Office of the Attorney General for the District of Columbia, Washington, DC

HOSPITALS UNDER THE MICROSCOPE

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

Facing unprecedented challenges posed by COVID19, hospitals also are the targets of government investigations, private lawsuits, and legislative action. Join us for a discussion of blockbuster FTC, DOJ, state AG, and private litigation attacking hospital mergers and conduct; state legislation that would restrict hospital mergers; and new HHS price rules.

SESSION CHAIR & MODERATOR:

Peter MUCCHETTI, Clifford Chance LLP, Washington, DC

SPEAKERS:

- Christi J. BRAUN, Managing Counsel, Insurance, Population Health & Regulatory Compliance, Vanderbilt University Medical Center, Nashville, TN
- Leigh L. OLIVER, Hogan Lovells LLP, Washington, DC
- Mark D. SEIDMAN, Acting Assistant Director, Mergers IV, Federal Trade Commission, Washington, DC
- Eric D. WELSH, Chief, Healthcare and Consumer Products Section, U.S. Department of Justice, Antitrust Division, Washington, DC

SABRE SUPREME COURT ARGUMENT—IS AMEX ACCEPTED?

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

The analyses of the Sabre-Farelogix merger by a U.S. District Court and the UK CMA have raised the question whether analysis of mergers in two-sided markets has diverged. A key question is whether the U.S. Supreme Court's holding in *American Express Co.* that two-sided platforms only compete with each other, applies to mergers. Watch as mock appellate teams argue the case in the Supreme Court.

SESSION CHAIR & MODERATOR:

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

APPELLEE COUNSEL:

- Kristen C. LIMARZI, Gibson Dunn & Crutcher LLP, Washington, DC

APPELLANT COUNSEL:

- Tara L. REINHART, Skadden Arps Slate Meagher & Flom LLP, Washington, DC

JUDGES:

- Makan DELRAHIM, Adjunct Professor, University of Pennsylvania Law School, Washington, DC
- Ilene K. GOTTS, Wachtell Lipton Rosen & Katz, New York, NY
- Jonathan M. JACOBSON, Wilson Sonsini Goodrich & Rosati PC, New York, NY

STILL BREAKING THROUGH THE GLASS CEILING

Presented by the Diversity, Advanced Initiative of the Membership, Diversity & Inclusion Committee and Women.Connected Committee

It's 2021, yet women—particularly women of color—continue to hold fewer positions of power and to be underrepresented in traditionally male-dominated fields, including economics and the legal profession. Why does this issue persist? What can be done? And what do companies and law firms risk by failing to address it?

SESSION CHAIR & MODERATOR:

Lisa M. PHELAN, Morrison & Foerster LLP, Washington, DC

SPEAKERS:

- Margaret E. GUERIN-CALVERT, FTI Consulting, Washington, DC

- Deborah P. MAJORAS, Chief Legal Officer & Secretary, The Procter & Gamble Company, Cincinnati, OH
- Heather S. NYONG'O, WilmerHale, San Francisco, CA
- Kalpana SRINIVASAN, Susman Godfrey LLP, Los Angeles, CA
- Bonny E. SWEENEY, Hausfeld LLP, San Francisco, CA

2:30–3:30 PM

A DISCUSSION WITH JON MEACHAM

Join Section Chair Gary Zanfagna as he engages in an insightful one-on-one conversation with Pulitzer Prize-winning author and historian Jon Meacham.

THURSDAY, MARCH 25

9:00–9:45 AM

CONVENING WITH COFFEE

Start off your day caffeinated and energized. This online gathering is an opportunity to share a coffee, or tea, while enjoying casual conversations with colleagues globally.

9:45–9:55 AM

OPENING REMARKS & GLOBAL GREETINGS

10:00–11:00 AM

CONCURRENT CLE SESSIONS

CONSUMER PROTECTION FOR DIVERSE COMMUNITIES

Presented by the Consumer Protection and Diversity, Advanced Initiative of the Membership, Diversity & Inclusion Committees

Disproportionately victimized by fraudsters, Black and Latinx communities also face discriminatory and unfair practices in other areas of the economy, such as advertising, debt collection, and real estate. This session will explore how to raise awareness about and address such disparities through consumer protection enforcement.

SESSION CHAIR:

Antara DUTTA, Principal Economist, Amazon, Washington, DC

MODERATOR:

Jaime TARONJI, Attorney Advisor, Office of Policy Planning, Federal Trade Commission, Washington, DC

SPEAKERS:

- Nicol TURNER LEE, Brookings Institution, Washington, DC
- Pedro PAVON, Privacy, Data Policy, and Ads, Facebook Inc., Atlanta, GA
- Edith RAMIREZ, Hogan Lovells LLP, Washington, DC
- Holly YOSHINARI, Senior Counsel, Office of Investor Education and Advocacy in the Office of Chief Counsel, Securities & Exchange Commission, Washington, DC

EUREKA! FOREIGN EVIDENCE IN U.S. ANTITRUST LITIGATION

Presented by the Corporate Counseling and Global Private Litigation Committees

Antitrust litigation, particularly cartel cases, can rise and fall based entirely on evidence located abroad. Gaining or preventing access to this evidence is an essential tool in the litigator's kit, and in-house counsel play a crucial role. Explore both offensive and defensive strategies in this session featuring leading litigation counsel.

SESSION CHAIR & MODERATOR:

Judith A. ZAHID, Zelle LLP, San Francisco, CA

SPEAKERS:

- Meegan F. HOLLYWOOD, Robins Kaplan LLP, New York, NY
- Erik T. KOONS, Baker Botts LLP, Washington, DC
- Peter WANG, Jones Day, Hong Kong
- Charles WEBB, Senior Antitrust Counsel, FedEx, Memphis, TN

HOT TOPICS

Antitrust and consumer protection policy, enforcement, and litigation change daily with vital issues constantly surfacing. Join this panel for their take on the hottest issues of this past year and what they see coming in the year ahead.

SESSION CHAIR & CO-MODERATOR

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

CO-MODERATOR:

Anant RAUT, Global Head of Competition Policy, Facebook Inc., Washington, DC

SPEAKERS:

- Olivier GUERSENT, Director General, DG Competition, European Commission, Brussels
- Alysa Z. HUTNIK, Kelley Drye & Warren LLP, Washington, DC
- The Hon. Phil WEISER, Attorney General, Office of the Attorney General, Denver, CO
- Tony WEST, Senior Vice President, Chief Legal Officer, & Corporate Secretary, Uber Technologies Incorporated, San Francisco, CA

READING POKER FACES: MOCK AGENCY PRESENTATION

Presented by the Federal Civil Enforcement and Mergers & Acquisitions Committees

Ever finish a presentation at the FTC or DOJ and wonder what the agency thought? This is your chance to find out! Panelists will deliver a mock presentation to FTC and DOJ representatives, taking periodic breaks to discuss what works, what doesn't, and how to make your presentations effectively.

SESSION CHAIR & MODERATOR:

Megan S. BROWDIE, Cooley LLP, Washington, DC

SPEAKERS:

- Juan A. ARTEAGA, Crowell & Moring LLP, New York, NY
- Patricia A. BRINK, Director of Professional Development, U.S. Department of Justice, Antitrust Division, Washington, DC
- Peggy B. FEMENELLA, Deputy Assistant Director, Mergers II, Federal Trade Commission, Washington, DC
- Joanna TSAI, Charles River Associates, Washington, DC

VERTICAL IS THE NEW HORIZONTAL

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

The U.S. antitrust enforcement agencies recently revised guidelines about how they evaluate vertical mergers, a growing topic of discussion among enforcers, academics, and even politicians. What will their impact be in the U.S., how do they compare to approaches outside the U.S., and how will they affect consolidating industries like health care?

SESSION CHAIR & MODERATOR:

Leah BRANNON, Cleary Gottlieb Steen & Hamilton LLP, Washington, DC

SPEAKERS:

- Thomas O. BARNETT, Covington & Burling LLP, Washington, DC
- Heather JOHNSON, Senior Counsel to the Director, Bureau of Competition, Federal Trade Commission, Washington, DC
- Jill C. MAGUIRE, Assistant Chief, Healthcare & Consumer Products Division, U.S. Department of Justice, Antitrust Division, Washington, DC
- Steven C. SALOP, Georgetown University Law Center, Washington, DC
- Amber WESSELS-YEN, Assistant Attorney General, Office of the Attorney General, New York, NY

11:10-11:30AM

A VIEW FROM THE HILL

Please join in for a conversation with former FTC Commissioner Terrell McSweeney and Congressman Buck who serves as the Ranking Member on the House Judiciary Subcommittee on Antitrust, Commercial, and Administrative Law.

DISCUSSANTS:

- The Hon. Kenneth R. BUCK, U.S. Representative (R-Colo), Washington, DC
- Terrell MCSWEENEY, Covington & Burling LLP, Washington, DC

11:30AM-1:30 PM

THE CHAIR'S SHOWCASE: THE FUTURE OF ANTITRUST

Antitrust is at an inflection point. Voices across the political spectrum are asking: Is new antitrust legislation needed? If so, what should it look like? The Chair's Showcase is the culmination of the Section's yearlong exploration of the theme of The Future of Antitrust. Hear from these thought leaders about the prospect of legislative reform and what it might mean for antitrust enforcement.

SECTION CHAIR & MODERATOR:

Gary P. ZANFAGNA, Paul Hastings LLP, Washington, DC

DISCUSSANTS:

- William E. KOVACIC, The George Washington University School of Law, Washington, DC
- Fiona M. SCOTT MORTON, Yale School of Management, New Haven, CT
- Richard G. PARKER, Gibson Dunn & Crutcher LLP, Washington, DC
- Jonathan B. SALLET, Special Assistant Attorney General, State of Colorado, Washington, DC
- Sandeep VAHEESAN, Open Markets Institute, Washington, DC
- The Hon. Christine S. WILSON, Commissioner, Federal Trade Commission, Washington, DC

PRESENTING PAPERS:

- Maureen K. OHLHAUSEN, Baker Botts LLP, Washington, DC
- Carl SHAPIRO, Haas School of Business, University of California, Berkeley, Berkeley, CA

1:30–2:00 PM

BREAK

2:00–3:00 PM

CONCURRENT CLE SESSIONS

BRIEFING WITH THE STATE ENFORCERS

Presented by the Consumer Protection and State Enforcement Committees

Antitrust and consumer protection enforcement by State Attorneys General is at an all-time high. Join our panelists from state attorney general offices across the country to hear about their recent enforcement activities and their future agenda.

SESSION CHAIR & MODERATOR:

Eric S. LIPMAN, Director, Litigation and Global Competition, Uber Technologies Incorporated, Dallas, TX

SPEAKERS:

- Lizabeth A. BRADY, Chief, Multistate Antitrust Enforcement, Antitrust Division, Office of the Attorney General, Tallahassee, FL
- Malinda LEE, Deputy Attorney General, Office of the Attorney General, Los Angeles, CA
- Jared Q. LIBET, Assistant Deputy Attorney General, Office of the Attorney General, Columbia, SC
- Abigail U. WOOD, Deputy Attorney General, Office of the Attorney General, Philadelphia, PA

COLLABORATION LESSONS FROM A PANDEMIC

Presented by the Compliance & Ethics and Health Care & Pharmaceuticals Committees

COVID19 led to a number of high-profile competitor collaborations in pharmaceuticals and logistics. What antitrust lessons can we learn from how rivals and government reacted to a pandemic? Was there enough enforcement guidance? Was antitrust flexible enough? Will it impact how we assess JVs, information exchanges, immunities, and collaborations generally?

SESSION CHAIR & MODERATOR:

Jennifer M. DIXTON, Special Counsel for Policy & Intellectual Property, U.S. Department of Justice, Antitrust Division, Chicago, IL

SPEAKERS:

- Saralisa C. BRAU, Chief Counsel, Antitrust, McKesson Corporation, Washington, DC
- Milton A. MARQUIS, Cozen O'Connor PC, Washington, DC
- Mika CLARK TUPY, Chief of Staff to the President, United Airlines, Chicago, IL
- Adrian VAN DEN HOVEN, Director General, Medicines for Europe, Brussels

HIGH TECHNOLOGY DEALS: ARE NEW STANDARDS WARRANTED?

Presented by Antitrust Magazine and the Media & Technology and Mergers & Acquisitions Committees

The 2010 Horizontal Merger Guidelines do not explicitly mention platform economics or network effects, killer acquisitions, or acquisitions of nascent technologies by BigTech platforms. Do the guidelines provide the tools needed to address these issues or do they need an upgrade? Listen to experts discuss these and other issues.

SESSION CHAIR & MODERATOR:

Ian SIMMONS, O'Melveny & Myers LLP, Washington, DC

SPEAKERS:

- Asheesh AGARWAL, Deputy General Counsel and Competition Counsel, TechFreedom, Indianapolis, IN

- Diana L. MOSS, President, American Antitrust Institute, Washington, DC
- The Hon. Noah J. PHILLIPS, Commissioner, Federal Trade Commission, Washington, DC
- Timothy WU, Special Assistant to the President for Technology and Competition Policy, Washington, DC

OLD PRICE-GOUGING LAWS, NEW APPLICATIONS

Presented by the Consumer Protection, Pricing Conduct, and State Enforcement Committees

COVID19 brought back to relevance seldom-used laws about price gouging, which became immediately important to retailers, consumers, manufacturers, and enforcers alike during the pandemic. This session explores how enforcers and retailers approached the issue, and what lessons it holds for future regulation and compliance on pricing issues.

SESSION CHAIR & MODERATOR:

Patricia A. CONNERS, Attorney, Tallahassee, FL

SPEAKERS:

- Craig CARPENITO, King & Spalding LLP, New York, NY
- Courtney C. ENLOE, Vice President, Associate General Counsel, and Global Head of Litigation, 3M Co., Minneapolis, MN
- Vivek NARAYANADAS, Vice President, Legal; Data Protection Officer, Shopify, Seattle, WA
- The Hon. Josh STEIN, Attorney General, Office of the Attorney General, Raleigh, NC

VIEWS FROM THE BENCH: ANTITRUST EDITION

Presented by the Global Private Litigation and Trial Practice Committees

Hear from the judges who have presided over some of the most challenging and rigorously contested antitrust and complex litigation cases in the past several years as they discuss lessons and observations from the bench.

SESSION CHAIR & MODERATOR:

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

SPEAKERS:

- The Hon. Denise L. COTE, U.S. District Judge, U.S. District Court for the Southern District of New York, New York, NY
- The Hon. Amit P. MEHTA, U.S. District Judge, U.S. District Court for the District of Columbia, Washington, DC
- The Hon. Sarah E. PITLYK, U.S. District Judge, U.S. District Court for the Eastern District of Missouri, St. Louis, MO
- The Hon. Jon S. TIGAR, U.S. District Judge, U.S. District Court for the Northern District of California, Oakland, CA

3:00–4:00 PM

THIRSTY THURSDAY NETWORKING RECEPTION

There won't be anything *Old Fashioned* about this networking reception. This promises to be the *Bees Knees*. Join us to see what's on tap. And just maybe the Smartinis will show up.

FRIDAY, MARCH 26

9:00–9:45 AM

CONVENING WITH COFFEE

Start off your day caffeinated and energized. This online gathering is an opportunity to share a coffee or tea, while enjoying casual conversations with colleagues globally.

9:45–9:55 AM

OPENING REMARKS & GLOBAL GREETINGS

10:00–11:00 AM

CONCURRENT CLE SESSIONS

AGENCY UPDATE WITH THE FTC

Presented by the Federal Civil Enforcement Committee

Come hear directly from the Federal Trade Commission's 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.

SESSION CHAIR & MODERATOR:

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

SPEAKERS:

- Daniel KAUFMAN, Acting Director, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC

- Maribeth PETRIZZI, Acting Director, Bureau of Competition, Federal Trade Commission, Washington, DC
- Michael VITA, Acting Director, Bureau of Economics, Federal Trade Commission, Washington, DC

CARTEL INVESTIGATIONS AND DEFENSE: STRATEGIES FOR SUCCESS

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

This session will explore key aspects of a global criminal cartel investigation and defense. Hear from leading cartel practitioners about their strategies for success—ranging from making initial critical decisions to leading large international teams and engaging with top enforcement officials.

SESSION CHAIR & MODERATOR:

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

SPEAKERS:

- D. Jarrett ARP, Davis Polk & Wardwell LLP, Washington, DC
- Scott D. HAMMOND, Gibson Dunn & Crutcher LLP, Washington, DC
- Mahrukh HUSSAIN, Vice-President, Interim General Counsel & Secretary, McDonald's Corporation, Chicago, IL
- Ann M. O'BRIEN, Baker & Hostetler LLP, Washington, DC
- Kalina M. TULLEY, Chief, Chicago Office, U.S. Department of Justice, Antitrust Division, Chicago, IL

COMPETITORS COORDINATING TO DO GOOD

Presented by the Corporate Counseling Committee

As corporations consider cross-industry initiatives to achieve socially responsible objectives, advocates urge enforcement agencies to factor labor, sustainability, diversity, and other values beyond consumer welfare into antitrust and competition law analysis. Listen as experts examine whether traditional doctrine should accommodate these goals and, if so, how it might do so.

SESSION CHAIR & MODERATOR:

Mary N. LEHNER, Freshfields Bruckhaus Deringer LLP, Washington, DC

SPEAKERS:

- Paul L. CSISZÁR, Director, DG Competition, European Commission, Brussels
- Christiane DAHLBENDER, Associate General Counsel-Antitrust & Global Customers, Mars, Inc., Verden
- Marina LAO, Seton Hall University School of Law, Newark, NJ
- Geoffrey A. MANNE, International Center for Law & Economics, Portland, OR

FUTURE OF U.S. PRIVACY LAW & LEGISLATION

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

Congress has considered but not passed privacy legislation. States like California have passed their own laws and ballot initiatives, while Europe has raised the bar. With federal-level changes and industry proposals like data portability afoot, what should we anticipate and who will it affect?

SESSION CHAIR & MODERATOR:

Christopher N. OLSEN, Wilson Sonsini Goodrich & Rosati PC, Washington, DC

SPEAKERS:

- Erika M. DOUGLAS, Temple University, Philadelphia, PA
- Aryeh S. FRIEDMAN, Vice President, Associate General Counsel & Chief Compliance Officer, Dun & Bradstreet Corporation, Short Hills, NJ
- Jessica B. LEE, Loeb & Loeb LLP, New York, NY
- Stacey SCHESSER, Supervising Deputy Attorney General, Office of the Attorney General, San Francisco, CA

INTERNATIONAL PERSPECTIVES ON FRAND ENFORCEMENT

Presented by the Competition Torts, Intellectual Property, and International Committees

There is divergence within and across jurisdictions on how to enforce fair, reasonable, and non-discriminatory (FRAND) commitments and how to effectively balance the interests of standards essential patent owners against downstream innovators. Join a discussion about the different approaches by international enforcers and the global landscape going forward.

SESSION CHAIR:

Heather T. RANKIE, Zelle LLP, Oakland, CA

MODERATOR:

Lore UNT, Manager and Principal Standards Policy Counsel, Apple Inc., Washington, DC

SPEAKERS:

- Thomas KRAMLER, Head of Unit, Antitrust: E-commerce and the Data Economy, DG Competition, European Commission, Brussels
- Jihun YI, Director of the Anti-monopoly Division, Korea Fair Trade Commission, Sejong-si
- Gail F. LEVINE, Deputy Director, Bureau of Competition, Federal Trade Commission, Washington, DC
- Taylor M. OWINGS, Attorney, Washington, DC

11:00–11:30 AM

BREAK

11:30AM–1:15PM

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 & MODERATOR:

Gary P. ZANFAGNA, Paul Hastings LLP, Washington, DC

SPEAKERS:

- Sarah OXENHAM ALLEN, Senior Assistant Attorney General & Antitrust Unit Manager, Office of the Attorney General, Richmond, VA
- Sarah COURT, Commissioner, Australian Competition and Consumer Commission, Canberra
- Richard A. POWERS, Acting Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
- The Hon. Rebecca Kelly SLAUGHTER, Acting Chair, Federal Trade Commission, Washington, DC
- Margrethe VESTAGER, Executive Vice President & Commissioner, European Commission, Brussels

QUESTIONERS:

- Melanie L. AITKEN, Bennett Jones (US) LLP, Washington, DC
- Brian K. GRUBE, Jones Day, Cleveland, OH

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

The ABA will seek 15 hours of CLE credit in 60-minute states, and 18 hours of CLE credit for this program in 50-minute states, including 2 hours of CLE ethics credit in 60-minute states and 2.4 hours of CLE ethics credit in 50-minute states.

Credit hours are estimated and are subject to each state's approval and credit rounding rules. Please visit the program website at www.ambar.org/Spring for program CLE details or visit www.americanbar.org/mcle for general information on CLE at the ABA.

All Attendees:

- Will be required to log on and remain on for the duration of each CLE session to be eligible for CLE. Detailed information will be emailed to the email address in the attendee's ABA record prior to the conference.
- CLE credit is available on a session-by-session basis.
- To request credit for your participation (and obtain your Certificate of Completion), you will need to complete a CLE Affidavit. These will be emailed to you following the conference after your attendance has been verified.
- You will receive a personalized link to submit your CLE Affidavit within 48 business hours of the end of the conference.
- If you do not receive this email, please contact the ABA Antitrust staff at at-meeting@americanbar.org.

News Media

Please contact the Media Relations and Strategic Communications Division at abanews@americanbar.org to register by March 22.

Your registration will be confirmed pending approval from the ABA Media Relations and Strategic Communications Division. You may be asked to provide further credentials. For ABA news credential guidelines, visit <https://www.americanbar.org/news/mediacredentials/>

Registration closed on March 22nd at 11am est.