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### Resale Price Maintenance Recent State Enforcement Initiatives Where Are We Now?

Wednesday May 4, 2011  
12:30 – 2:00 pm EDT

Nearly four years ago in its landmark decision in *Leegin*, the Supreme Court declared that Resale Price Maintenance (RPM) should no longer be treated as a *per se* violation of the Sherman Act but, instead, should be judged under the Rule of Reason. That sea change in federal antitrust law has not been followed at the state level. State Attorneys General, long the most vigilant prosecutors of RPM programs, continue to attack RPM. Recently, the New York Attorney General has attacked RPM under a non-antitrust statute and the California Attorney General has continued to attack such programs under California's main antitrust statute, the Cartwright Act. Hear from the leaders of the New York and California anti-RPM enforcement efforts as they discuss, with defense counselors, recent state anti-RPM enforcement.

Moderator: James Calder, Katten Muchin Rosenman LLP

Panelists: Jonathan Eisenberg, Deputy Attorney General, Office of the Attorney General,  
California Department of Justice  
Robert Hubbard, Assistant Attorney General, Office of the Attorney General of the State of  
New York, Antitrust Bureau  
Alicia Downey, Bingham McCutchen LLP



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