ANTITRUST IN THE AMERICAS

Conference Cochairs:
Russell Damtoft, Miguel Flores Bernés, and Mariana Tavares de Araujo

www.ambar.org/atamericas
DEAR FRIENDS AND COLLEAGUES:

On June 1-2, 2017, government enforcers, corporate counsel and leading antitrust practitioners from throughout the Americas will convene in Mexico City for the fourth Antitrust in the Americas Conference jointly sponsored by the American Bar Association – Section of Antitrust Law, the Mexican Bar Association (Barra Mexicana, Colegio de Abogados, A.C.), and IBRAC, the Brazilian Association for Studies on Competition, Consumer Affairs and International Trade (Instituto Brasileiro de Estudos de Concorrência, Consumo e Comércio Internacional).

Competition law enforcement activity continues to expand in the region, and in particular Latin America where mergers, cartels, distribution agreements, and dominance face close scrutiny. The Conference will include interactive discussions with experts from throughout the region on cutting edge topics, including:

- Insights on developments in international cartel enforcement, recognizing the growth of criminal enforcement and leniency programs throughout the region;
- Distinguishing pro-competitive collaboration with competitors from anticompetitive collusion;
- Issues arising in distribution agreements, such as resale price agreements, distribution, MFN agreements, and the like;
• Antitrust issues in telecommunications;
• Competition issues from the viewpoint of the judiciary, including the advantages and disadvantages of different systems of judicial review; and
• A look at Mexico’s new powers to address barriers to entry and essential inputs without proof of anticompetitive practices.

Special focus will be given in the Conference to the emerging antitrust issues that General Counsel and their advisors should anticipate in the dynamic regulatory environment their companies operate in throughout the region. The program also includes a round table where enforcement leaders from the Americas will answer questions on their enforcement priorities, challenges, and collaborative efforts with their counterparts across borders.

The conference provides a unique opportunity for participants to meet with government officials who are playing leading roles in competition law enforcement, as well as corporate counsel from throughout the region and leading members of the antitrust bar who are handling antitrust matters making headlines in the region.

The conference will be held at the Four Seasons Hotel in Mexico City, at the center of that dynamic and growing metropolis. Make sure you join us for a tour of the ancient city of Teotihuacan, there is nothing like it in the world!

We look forward to seeing you there.

William C. MACLEOD, Chair, ABA Section of Antitrust Law
Russell DAMTOFT, Conference Co-Chair
Miguel FLORES BERNÉS, Conference Co-Chair
Mariana TAVARES DE ARAUJO, Conference Co-Chair
Conference Agenda

WEDNESDAY, MAY 31, 2017

09:00 – 14:30 TOUR (TEOTIHUACAN PAGE 10)

17:00 – 19:00 REGISTRATION

THURSDAY, JUNE 1, 2017

08:00 – 17:30 REGISTRATION

08:45 – 09:00 WELCOMING REMARKS

09:00 – 10:15 ANTI-CARTEL ENFORCEMENT

Anti-cartel enforcement is a growth industry in Latin America. Brazil, Mexico, and Chile have recently criminalized cartels, enforcement against bid-rigging schemes are on the rise, and leniency programs are gathering strength throughout the region. This panel of experts will discuss these topics and more.

Moderators:
Alan R. DIAL, King & Spalding LLP, Washington, DC
Lucia OJEDA CÁRDENAS, SAI Law and Economics, Mexico City

Speakers:
Jaime BARAHONA URZÚA, Guerrero Olivos, Santiago
Omar GUERRERO RODRIGUEZ, Hogan Lovells BSTL SC, Mexico City
Scott D. HAMMOND, Gibson Dunn & Crutcher LLP, Washington, DC
Mariana TAVARES DE ARAUJO, Levy & Salomão Advogados, Rio de Janeiro

10:15 – 11:30 SLEEPING WITH THE ENEMY: COMPLIANCE ISSUES WHEN DOING A DEAL WITH THE COMPETITION

Many deals involve working together with competitors, whether it’s a joint venture, participating in trade association activities, or licensing agreements. Often these involve exchanges of information. Sometimes there’s no problem, but sometimes it can facilitate collusion. This panel will focus on compliance issues that will help clients distinguish one from the other.

Moderators:
Alfonso MIRANDA LONDOÑO, Esguerra Asesores Jurídicos, Bogotá
Allan VAN FLEET, McDermott Will & Emery, Houston, TX

Speakers:
Valeria CHAPA GARZA, Vice President and General Counsel, Honeywell International Inc, Mexico City
Alejandro FAYA RODRIGUEZ, Head of Planning, Institutional Relations and International Affairs Unit, Comisión Federal de Competencia Económica (COFECE), Mexico City
Stacy FRAZIER, Executive Counsel, General Electric Company, Washington, DC
Cristiane SILVESTRE, Legal Manager, Braskem, São Paulo

11:30 – 11:45 BREAK
11:45 – 13:00  **ANTITRUST AND TELECOMMUNICATIONS**

In the information economy, perhaps no sector is as important as telecommunications. Going from a landline-based regulated utility to a rapidly evolving landscape with multiple platforms, the sector’s interaction with competition law is changing quickly. Mexico’s constitutional reform empowered a new telecom regulator to enforce competition law in the sector, and other nations in the region have seen similar changes.

**Moderator:**
Hal J. **SINGER**, Economists Incorporated, Washington, DC  
Rafael **VALDES ABASCAL**, Valdés Abascal Abogados SC, Mexico City

**Speakers:**
Alejandro **CANTÚ JIMÉNEZ**, Co-Secretary & General Counsel, America Movil SAB de CV, Mexico City  
Maria Elena **ESTAVILLO FLORES**, Commissioner, Instituto Federal de Telecomunicaciones (IFT), Mexico City  
Pablo **MARQUEZ**, Márquez Barrera Castañeda Ramirez (MBCR), Bogotá  
Guilherme **RIBAS**, Mundie e Advogados, São Paulo

13:00 – 13:45  **LUNCH**

13:45 – 14:15  **KEYNOTE SPEAKER**

**Questioner:**
Michael G. **EGGE**, Latham & Watkins LLP, Washington, DC

**Speaker:**
Deborah P. **MAJORAS**, Chief Legal Officer & Secretary, Procter & Gamble, Cincinnati, OH

14:15 – 15:30  **IT’S JUST A DISTRIBUTION AGREEMENT: WHAT COULD GO WRONG?**

Distribution agreements often come with provisions that may have antitrust implications, such as exclusivity, RPM, discounts, rebates, MFNs etc. The implications are not always easy to detect, and sometimes don’t get all the attention that they deserve. This panel will focus on how antitrust authorities across the Americas address antitrust issues in distribution agreements, and what practitioners may do to prevent headaches.

**Moderator:**
Brian R. **HENRY**, Vice President & Senior Managing Counsel, The Coca-Cola Company, Atlanta, GA  
Julián **PEÑA**, Allende & Brea, Buenos Aires

**Speakers:**
Monica **BICHARA**, Legal and Corporate Security Director, The Home Depot, Monterrey  
Marcelo **CALLIARI**, Tozzini Freire Advogados, São Paulo  
Fernando **CARRÉÑO**, Von Wobeser y Sierra SC, Mexico City  
Paulo **MONTT**, Gandarillas Montt Del Rio & Krause, Santiago
ANTITRUST IN THE AMERICAS

THURSDAY, JUNE 1, 2017

15:30 – 15:45  BREAK

15:45 – 17:00  LEVELING THE PLAYING FIELD

Mexico’s constitutional reform included provisions that allow COFECE to take action involving essential inputs and barriers to competition, even in the absence of proof of violation of the competition law. Are these necessary tools to remedy the effects of decades of state-sponsored monopolies? Do they threaten firms that have invested in infrastructure and intellectual property? Is this an idea that will catch on elsewhere in the hemisphere?

Moderators:
Terry CALVANI, Freshfields Bruckhaus Deringer, Washington, DC
Luis MONTERUBIO, Noriega y Escobedo Abogados AC, Mexico City

Speakers:
Miguel FLORES BERNES, Greenberg Traurig SC, Mexico City
Elisa MARISCAL, Global Economics Group LLC, Mexico City
Carlos MENA LABARTHE, Chief Prosecutor, Comisión Federal de Competencia Económica (COFECE), Mexico City
Anita M. MOSNER, Holland & Knight LLP, Washington, DC

17:00  COCKTAIL RECEPTION

FRIDAY, JUNE 2, 2017

08:00 – 13:45  REGISTRATION

08:30 – 08:45  WELCOMING REMARKS

08:45 – 10:00  THE LAST WORD: JUDGES AND COMPETITION LAW

There are as many systems for enforcing antitrust law as there are countries in the region. Some agencies prosecute cases before the regular judiciary, some have internal adjudicative systems, and others bring cases before specialized tribunals. But one thing is common to all: the judiciary has the final say. Judges from across the region will discuss the advantages of their various systems and what kinds of arguments are likely to find traction.

Moderators:
Russell DAMTOFT, Associate Director, Office of International Affairs, Federal Trade Commission, Washington, DC
Cristianne SACCAB ZARZUR, Pinheiro Neto Advogados, São Paulo

Speakers:
Ellen Gracie NORTHFLEET, Retired Chief of Justice, Supreme Court of Brazil, Rio
Javier TAPIA, Member, Chilean Tribunal for the Defense of Free Competition, Santiago
Jean Claude TRON PETIT, Magistrate, Fourth Administrative Court of the First Circuit, Mexico City
The Honorable Diane P. WOOD, Chief Judge, U.S. Court of Appeals for the Seventh Circuit, Chicago, IL
Conference Agenda

FRIDAY, JUNE 2, 2017

10:00 – 11:15  MERGER ENFORCEMENT
Merger enforcement is becoming more sophisticated throughout the region, and the role of economic tools and economists has become increasingly important. Enforcers’ ideas are increasingly informed by ex post analysis of mergers. Cooperation among the authorities is increasing.

Moderator:
Luis SANTOS COY GARCIA, Creel García-Cuéllar Aiza Y Enríquez SC, Mexico City
Fiona A. SCHAEFER, Milbank Tweed Hadley & McCloy LLP, New York, NY

Speakers:
John BODRUG, Davies Ward Phillips & Vineberg LLP, Toronto
John M. MAJORAS, Jones Day, Washington, DC
Amadeu RIBEIRO, Mattos Filho Veiga Filho Marrey Jr e Quiroga Advogados, New York, NY
Darrell L. WILLIAMS, Charles River Associates, Los Angeles, CA

11:15 – 11:30  BREAK

11:30 – 12:15  KEYNOTE SPEAKER

12:15 – 13:45  ENFORCERS’ PANEL
Political change across the region is changing the shape of antitrust. New leadership has recently arrived or is coming soon in Argentina, Brazil, and the United States. Major reforms are under way in Mexico and Chile. Hear from enforcement leaders from around the hemisphere and gauge for yourself which way the winds are likely to blow.

Moderators:
William C. MACLEOD, Kelley Drye & Warren LLP, Washington, DC
Eduardo PEREZ MOTTA, Agon, Mexico City

Speakers:
Gabriel CONTRERAS, President, Instituto Federal de Telecomunicaciones (IFT), Mexico City
Alexandre CORDIERO MACEDO, Commissioner, Conselho Administrativo de Defesa Economica (CADE), Brasilia
Esteban GRECO, President, National Commission for the Defense of Competition, Buenos Aires
Felipe IRARRAZABAL, National Economic Prosecutor, Fiscalía Nacional Económica, Santiago
Abbott LIPSKY, Acting Director, Bureau of Competition, Federal Trade Commission, Washington, DC
Alejandra PALACIOS PRIETO, Chairwoman, Comisión Federal de Competencia Económica (COFECE), Mexico City
Brent SNYDER, Deputy Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
DISCOUNTED REGISTRATION CUT-OFF: MAY 12, 2017

Those registered by the cut-off date will be included on the Attendee Roster posted on the conference website and will have access to the course materials prior to the conference.

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

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

For courses costing over $500, attorneys who qualify will receive at least a 50% reduction in the course fees. This does not include any reduction in meals, lodging or travel costs associated with the course.

REGISTRATION RATES

<table>
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<tr>
<th>Rates</th>
<th>ABA Section of Antitrust Law Member</th>
<th>ABA Non-Section Member/Barra Mexican Member/IBRAC Member</th>
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TWO WAYS TO REGISTER

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<th>Online (Until May 30)</th>
<th><a href="http://www.ambar.org/atamericas">www.ambar.org/atamericas</a></th>
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<tr>
<td>On-site</td>
<td>Four Seasons Hotel</td>
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<tr>
<td>May 31, 2017</td>
<td>17:00-19:00</td>
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<td>June 1, 2017</td>
<td>08:00-17:00</td>
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<td>June 2, 2017</td>
<td>08:00-13:45</td>
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There is no guarantee that space will be available at the conference for on-site registration. Your registration fee includes: admission to CLE sessions, CLE Credit, course materials, the luncheon and reception.

DISCOUNTS

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<th>Early Registration</th>
<th>Registrations received by the May 12, 2017 will be processed at the discounted registration rate.</th>
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<tr>
<td>ABA Antitrust Section Members</td>
<td>You save just by being a member. The discount is reflected on the registration page.</td>
</tr>
<tr>
<td>ABA Members/Barra Mexicana Members/IBRAC Members</td>
<td>Join the Section of Antitrust Law ($60.00) and register at the reduced rate reserved for Antitrust Law Section members.</td>
</tr>
<tr>
<td>Not an ABA Member</td>
<td>Join now and save by going to <a href="http://www.ambar.org/join">www.ambar.org/join</a></td>
</tr>
<tr>
<td>Government, Academics, Nonprofits and Paralegals</td>
<td>Available for those with a primary position at a government or academic institution (e.g., law firm lawyers who also are adjunct professors would pay the law firm rate)</td>
</tr>
<tr>
<td>Law Students</td>
<td>Complimentary registration for law students who have not passed a Bar. Availability is limited.</td>
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CANCELLATIONS
In the event of cancellation, a refund of the registration fee, less a $50.00 administrative fee, will be granted only for written requests received by registrar@americanbar.org by 17:00 CST, on May 11, 2017.

There will be no refunds after this date. Please allow four to six weeks after the conference for refunds. The ABA reserves the right to cancel any conference or portion thereof and assumes no responsibility for personal expenses.

Written requests for substitutions will be permitted prior to the conference for requests received by 16:00 (CST) May 31, 2017. After this date, substitutions will need to be made on-site. There is no additional cost for substitutions. Substitutions are not permitted once a registrant has registered on-site or after the conference has occurred. Only the substitute will be eligible for CLE credit. The substitute and original registrant must work out the payment between themselves.

SPECIAL NEEDS
Individuals should update their profile at myaba.org with allergies or ADA needs.

COURSE MATERIALS
The course materials for each session will be compiled and distributed online prior to the conference.

ON-SITE
Please bring your confirmation to the on-site ABA Registration Desk to pick up your materials. Registrations received after online registration has closed, or those who have not received an electronic confirmation, will need to go to the on-site ABA Registration Desk during the registration hours posted in the agenda.

ROSTER OF PARTICIPANTS
A roster of conference participants is available online at www.ambar.org/atamericas and is updated weekly.

TAPE RECORDING
No audio recording or videotaping of any part of the conference will be permitted.

REGISTRANT/ATTENDEE IMAGE & VOICE AGREEMENT
Registration for, attendance, at or participation in the 2017 Antitrust in the Americas Conference and other associated activities constitutes an agreement by the registrant to permit the ABA to use and distribute (both now and in the future) the registrant or attendee’s image or voice in photographs, videotapes, electronic reproductions, audiotapes of such events and activities.

CONTINUING LEGAL EDUCATION (U.S. CLE)
Sign-in for CLE; the majority of attendees only need do this once for the entire conference. Some states that require attendees to follow different procedures, like DE, IL, TX.

NY attendees are required by their states to sign in and out of each session. NY ATTENDEES REMINDER: You cannot receive a NY certificate if you do not sign in AND out. The attendance sign-in forms for DE, IL and NY will be located in the back of each session room.

NY attorneys should pick up their customized Certificate of Attendance at the CLE Information Desk during the conference hours or if you forget to pick it up, we will email NY attorneys their certificates within 60 days of conference completion.

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

States typically decide whether a program qualifies for CLE credit in their jurisdiction 6-8 weeks after the program application is submitted.
HOTEL RESERVATIONS CUT-OFF: MAY 5, 2017

Individuals are responsible for making their own hotel accommodations. A discounted block of sleeping rooms has been reserved under the “ABA Section of Antitrust-Antitrust in the Americas.” Rooms will be available until the cut-off or when the block fills, whichever comes first.

Accommodations
Four Seasons Hotel Mexico, D.F.,
Paseo de la Reforma #500 Colonia Juarez, Mexico, D.F. 06600
52 (55) 5230-1818
$320 + taxes (single)/$335 + taxes (double)
Cut-off: May 5, 2017

TOUR

Teotihuacan

Known as the City of the Gods, Teotihuacan, preserves the remains of one of the most important civilizations in Mesoamerica. Regardless of where you will be starting your tour, you will be amazed by the beautiful constructions and by the mystery kept within the wall of the Pyramid of the Sun, the Temple of Quetzalpapalotl, the Avenue of the Dead and the buildings surrounding them.

Schedule: Wednesday, May 31, 2017
Depart from the Four Seasons: 09:00
Arrive at the Teotihuacan: 10:00
Tour: 10:00-12:00
Lunch: 12:00-13:30
Depart Teotihuacan: 13:30
Arrive back at the Four Seasons: 14:30

Please register online to add the tour to your registration. Space is limited.
ABA NEGOTIATED AIRFARE DISCOUNTS.


ABA discounts can also be obtained directly from the carrier:

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<th>American</th>
<th>Delta 800-328-1111</th>
<th>United 800-426-1122</th>
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* A Travel Profile is required when booking airline reservations with ABA Egencia, visit http://www.americanbar.org/membership/aba_advantage_discounts/egencia.html for more information.

COMMITTEE LEADERSHIP

Co-Chairs: Krisztian Katona
Julie Soloway

Vice-Chairs: Cecil Chung
Thomas Collin

Jonathan Gowdy
Matthew Hall

Cynthia Richman

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JOIN A COMMITTEE

Antitrust Section members can join any of the 29 committees at no additional cost. Meet professionals who share your passion for a specialized area of law. Open the door to

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HOW TO JOIN A COMMITTEE

1. Go the ambar.org/atjoincmte
2. Enter your ABA ID and password.
3. Check the committees you choose and click “Submit.”
Please Join us in Mexico City
June 1–2, 2017
Four Seasons Hotel,
Paseo de la Reforma #500
Colonia Juarez,
Mexico, D.F. 06600
PH: 52 (55) 5230-1818

DEADLINES

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<td>Hotel Reservations</td>
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MARK YOUR CALENDAR FOR OTHER UPCOMING ABA SECTION OF ANTITRUST LAW CONFERENCE
Visit www.americanbar.org/antitrust for details.

- May 4, 2017: Global Seminar Series: Brussels • Brussels
- May 8, 2017: Global Private Litigation Conference • NH Barbizon, Amsterdam
- August 10-15, 2017: ABA Annual Meeting • New York, NY
- September 28, 2017: Merger Workshop • Washington, DC
- November 16, 2017: Fall Forum • Washington, DC
- January 26, 2018: Next Generation of Junior Scholars • New York, NY
- February 14–16, 2018: International Cartel Workshop • Paris

Register online at www.ambar.org/atamericas

Antitrust in the Americas