DEAR FRIENDS AND COLLEAGUES:

Welcome (or, as our Dutch friends would say, “Welkom!”) to a brave new world of global antitrust litigation!

Join us in Amsterdam on May 7-8, 2017 for a truly exciting event – our first-ever Global Private Litigation Conference. Converging in the Netherlands will be a remarkably diverse faculty of many plaintiffs’ as well as defense counsel, government enforcers and jurists, economists, claims funders, in-house counsel, and academics.

After years of uncertainty, implementation of the EU directive governing actions for damages for competition infringements is underway, and private antitrust litigation is on the rise in jurisdictions including the UK, Germany, Finland, and the Netherlands, among others.

The battlefield is fast taking shape in terms of shifting burdens of proof and presumptions of pass-on and injury, extended statutes of limitations, and collective actions and other devices for aggregating claims within and across jurisdictions.

Packed into a single day will be eight fast-paced panels — and more. After welcoming remarks, the morning programs will examine how best to achieve goals of compensation and deterrence; review implementing statutes and key collective actions in the EU; address legal, financial and ethical considerations for aggregating claims; and discuss discovery and other issues implicated by the intersection of public and private proceedings. Following a
luncheon presentation, the afternoon programs will confront the complicated task of forecasting how jurisdictions will address consolidation of proceedings; what roles experts can be expected to play in new private litigation; how differences in pass-on and contribution regimes may play out; and whether there might finally be an opportunity for true “global peace” through settlement. Concluding the day’s panels, you’ll hear from the real “principals”: in-house counsel who must make the hard choices in pursuing or defending against global recoveries. And throughout, you’ll have opportunities to address your questions to the speakers – from the anticipated “battleground” jurisdictions to litigation funding to the impact of Brexit.

Our host hotel will be the NH Barbizon Palace, a unique piece of history crafted from several 17th century town houses and featuring a Michelin-starred restaurant. The hotel will host the conference in its landmark meeting room, converted from a 15th century chapel.

And by all means, come early! The conference will kick off with a “don’t miss” networking canal cruise on Sunday evening. We have also arranged for a Sunday day tour of the famous Keukenhof park, the Hague, and Madurodam, a picturesque miniature city built to 1/25 scale. Amsterdam is ready to explore on your own time, too: the Van Gogh Museum, the Anne Frank House, the world’s oldest stock exchange, and much more. It’s the Section’s first conference in the Netherlands and it’s tulip season, so let’s all make it a trip to remember.

Space will be limited, so secure your spot early to be a part of this inaugural event!

William C. MacLeod, Chair, ABA Section of Antitrust Law
Scott A. Martin, Conference Chair
Kristina Nordlander, Conference Vice-Chair
Bruce L. Simon, Conference Vice-Chair
HOLLAND DAY TOUR: THE KEUKENHOF, THE HAGUE, AND MADURODOM

First stop will be Keukenhof Park filled with blooming tulips, hyacinths, daffodils and other spring bulbs. Continue to The Hague and Madurodam, the miniature city with a model of several typical Dutch landmarks on a 1:25 scale. Additional fee, includes lunch.

18:00 – 20:00
EVENING SALON BOAT CRUISE WELCOME RECEPTION

Join us for a unique Welcome Reception cruising the famous Amsterdam Canals. The group will depart one of several salon boats each different in style and size. The boats will set off on a two-hour tour of the city. The boats will depart from the landing stage St. Nicolaaskerk, which is located opposite the conference hotel NH Barbizon Palace.

MONDAY, MAY 8, 2017
08:00 – 08:30
REGISTRATION OPENS

08:30 – 08:45 OPENING REMARKS

Chris Fontijn, Chairman, Netherlands Authority for Consumers and Markets, The Hague
William C. MacLeod, Kelley Drye and Warren LLP, Washington, DC

08:45 – 09:30 PANEL I: THE ROLE OF PRIVATE ENFORCEMENT

We start our exploration with the fundamental question “Why private enforcement?” and focus on how best to achieve goals of compensation and deterrence, analyzing perceived abuses in the U.S. system and proposed solutions, including the approach of the EU Directive.

Moderator
Frederieke Leeflang, Boekel de Neree, Amsterdam

Panelists
Kris Dekeyser, Acting Director, Policy and Strategy Directorate, European Commission Directorate General for Competition, Brussels
Konrad Ost, Vice President, Bundeskartellamt, Bonn
Brent Snyder, Acting Assistant Attorney General, Antitrust Division, U.S. Department of Justice, Washington DC
09:30 – 10:15
**PANEL II: COLLECTIVE ACTIONS ACROSS THE GLOBE**

The experts provide a nuts-and-bolts examination of developing approaches to collective actions, including a review of implementing statutes in EU member states during 2016, and discussion of significant opt-out or opt-in actions.

**Moderator**
Anna MORFEY, Hausfeld, London

**Panelists**
Ellen BRAUN, Allen & Overy LLP, Hamburg  
Nicholas HEATON, Hogan Lovells International LLP, London  
Maarten SCHINKEL, University of Amsterdam, Amsterdam

10:15 – 10:30  **BREAK**

10:30 – 11:15
**PANEL III: FUNDING ISSUES AND CLAIMS AGGREGATION**

Private competition litigation involves substantial resources, and requires balancing risks and rewards. Among the issues – legal, financial, and ethical – that litigants must assess are the vehicles available pre-filing, including for large or aggregated claims; whether contingent fees and success fees can be deployed; potential sources of private or public funding generally; whether preexisting trade associations can fund or play a more integral role; and the impact if “loser pays.”

**Moderator**
Till SCHREIBER, Managing Director, Cartel Damages Claims Consulting, Brussels

**Panelists**
Craig ARNOTT, Managing Director, Burford Capital, London  
Jurriaan BRAAT, Partner, Omni Bridgeway, Geneva  
Susan DUNN, Head of Litigation Funding, Harbour Litigation Funding, London

11:15 – 12:00
**PANEL IV: PUBLIC AND PRIVATE INTERFACE**

Potentially game-changing questions: What is the potential for discovery of government files under the EU directive, what stay issues may arise, what collateral estoppel effect arises from Commission findings?

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

**Panelists**
Albrecht BACH, Oppenländer Rechtsanwälte, Stuttgart  
Jay L. HIMES, Labaton Sucharow LLP, New York, NY  
Belinda HOLLWAY, Scott + Scott LLP, London  
Lisa M. PHELAN, Chief, National Criminal Enforcement Section, Antitrust Division, U.S. Department of Justice, Washington, DC

12:00 – 13:30  **LUNCH & SPEAKER**
13:30 – 14:15
**PANEL V: CONSOLIDATING PROCEEDINGS**

The U.S. has its federal multijurisdictional litigation (MDL) procedure, but managing multiple proceedings on a global scale is a new frontier. What will be the “magnet” jurisdictions for litigation (collective actions or even discovery) and settlement – and what impact will Brexit have? What about vertical consolidations of redress (direct and indirect claims, and others in the distribution chain)?

**Moderator**
James L. MCGINNIS, Sheppard Mullin Richter & Hampton, LLP, San Francisco, CA

**Panelists**
Thomas FUNKE, Osborne Clarke Rechtsanwälte Steuerberater, Berlin
Nadine HERRMANN, Quinn Emanuel Urquhart & Sullivan LLP, Hamburg
Jon LAWRENCE, Freshfields Bruckhaus Deringer LLP, London

14:15 – 15:00
**PANEL VI: THE ROLE OF EXPERTS**

Reflecting on the increasingly critical role of experts in US antitrust cases post-Tyson Foods, and their potential use in nearly every phase of litigation, what are the expectations for them in the EU and in global litigation, and how might their roles differ (e.g., use of the “expert determinator”)?

**Moderator**
Kristina NORDLANDER, Sidley Austin LLP, Brussels

**Panelists**
Thilo KLEIN, Compass Lexecon, London
Gunnar NIELS, Oxera Consulting LLP, Oxford
Darrell L. WILLIAMS, Charles River Associates, Los Angeles, CA

15:00 – 15:15 **BREAK**

15:15 – 16:00
**PANEL VII: PASS-ON AND CONTRIBUTION ISSUES**

The panelists compare the effects of indirect purchaser regimes in the US (*Illinois Brick*/ARC America) and the EU (*Crehan*/Manfredi) and relevant law on pass-on, contribution and joint and several liability, cy pres recovery, and related damages assessments.

**Moderator**
Kathrin WESTERMANN, Noerr LLP, Berlin

**Panelists**
Frédéric JENNY, ESSEC Business School, Paris
Toni KALLIOKOSKI, Dittmar & Indrenius Ltd, Helsinki
Martijn VAN MAANEN, BarentsKrans, The Hague
16:00 – 16:45
PANEL VIII: GLOBAL RESOLUTIONS
The last stop on our journey, appropriately in Amsterdam: Can the resolution in *Parker* (Marine Hose) be replicated for future settlements, and if so, by what mechanism(s) and in what jurisdiction(s)? What is the risk calculus for a settling defendant? And is “global peace” for competition litigation still a pipe dream?

**Moderator**
Jolling de PREE, De Brauw Blackstone Westbroek, Amsterdam

**Panelists**
Jeroen KORTMANN, Stibbe, Amsterdam
Elizabeth MORONY, Clifford Chance LLP, London
Marc VAN AUDENRODE, Analysis Group, Montréal

16:45 – 17:30
CONCLUDING REMARKS ROUND TABLE: “A NEW WORLD: THE IN-HOUSE PERSPECTIVE”
Perspectives from the “principals”: Potential worldwide corporate litigants offer their thoughts on global recovery and highlight a key point of interest that they’ve learned.

**Moderator**
Bruce L. SIMON, Pearson Simon Warshaw LLP, San Francisco, CA

**Panelists Including:**
Brian R. HENRY, Vice President & Senior Managing Counsel, The Coca-Cola Company, Atlanta, GA
Melissa L. ZUJKOWSKI, VP, Litigation & Disputes, Flextronics, San Jose, CA

17:30 CLOSING COCKTAIL RECEPTION

18:30 DINE-AROUNDS
Dine-Arounds offer conference participants an opportunity to dine informally with peers. Dine-Arounds will be held at nearby restaurants. Each diner is responsible for his or her own check. Sign-up sheets will be available at registration.

* Check our conference web page www.ambar.org/atplaintiffs for the most up-to-date program information. Speakers may be added as this rapidly developing area may warrant.
Registration Information

DISCOUNTED REGISTRATION CUT-OFF: MONDAY, APRIL 14, 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. Attorneys who qualify will receive at least a 50% reduction in the course fee(s). 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</th>
<th>Non-Member</th>
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<td>List Rate-up to April 14</td>
<td>$575.00</td>
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<td>List Rate-after April 14</td>
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<td>$375.00</td>
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TWO WAYS TO REGISTER

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<tr>
<th>Online</th>
<th><a href="http://www.ambar.org/atplaintiffs">www.ambar.org/atplaintiffs</a></th>
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<tr>
<td>Until 15:00 CST, May 5, 2017</td>
<td>Online registrants will receive an electronic confirmation within one day.</td>
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<tr>
<th>On-site</th>
<th>NH Collection Barbizon Palace</th>
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<tr>
<td>Monday May 8, 2017</td>
<td>Prins Hendrikkade 59-72 1012AD</td>
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<td>Amsterdam, The Netherlands</td>
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<td>08:00 – 17:00</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 salon boat reception.

DISCOUNTS

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<tr>
<th>Early Registration</th>
<th>Registrations received by the April 14, 2017 will be processed at the discounted registration rate.</th>
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<tbody>
<tr>
<td>ABA Antitrust Section Members</td>
<td>You save just by being a member. The discount is reflected on the registration page.</td>
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<tr>
<td>ABA 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, Law Students 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>
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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 at-registrar@americanbar.org by 17:00 CST, on April 23, 2017. Please allow four weeks after the conference for the processing. The ABA reserves the right to cancel any conference or portion thereof and assumes no responsibility for personal expenses.

SUBSTITUTIONS
Written (emailed) requests for substitutions will be permitted prior to the conference for requests received by 17:00 CST on April 23, 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
An e-mail containing the link to course materials will be sent out to all registered attendees one week prior to the conference.

ON-SITE
Please bring your confirmation to the on-site ABA Registration Desk to pick up your materials.

ROSTER OF PARTICIPANTS
A roster of conference participants is available online at www.ambar.org/atplaintiffs 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 Global Private Litigation 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)
All Attendees: Sign-in for CLE upon Arrival DE/IL
Attendees: Your states require you to sign into each session NY Attendees: You are required by your state to sign in and out each session.

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
Travel Information

**HOTEL RESERVATIONS CUT-OFF: FRIDAY, APRIL 14, 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 Law-Global Private Litigation Conference.” Rooms will be available until the cut-off or when the block fills, whichever comes first.*

| NH Collection Barbizon Palace | Prins Hendrikkade, 59-72. 1012AD Amsterdam, The Netherlands |
| Conference Rates: | PH: +31 20 556 4564 |

**GETTING AROUND AMSTERDAM**

| Distance from hotel: 18 km / 11 mi | Train: Approximately 23 min. |
| | Shuttle Bus: Approximately 30-60 min. |

**ABA NEGOTIATED AIRFARE DISCOUNTS.**


ABA discounts can also be obtained directly from the carrier:

<table>
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<tr>
<th>American</th>
<th>Delta 800-328-1111</th>
<th>United 800-426-1122</th>
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<td>Online Discount Code: ZXDR621691</td>
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<td>Discount available at <a href="http://www.delta.com">www.delta.com</a></td>
<td>Discount available at <a href="http://www.united.com">www.united.com</a></td>
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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](http://www.americanbar.org/membership/aba_advantage_discounts/egencia.html) for more information.

**INTERNATIONAL TRAVEL**


*We can provide a standard letter from the ABA Section of Antitrust Law confirming the reason you or your guest wish to enter the country. To obtain a visa letter email [at-registrar@americanbar.org](mailto:at-registrar@americanbar.org) with Visa Request in the subject line.*
Did You Know ...

THE SECTION OF ANTITRUST LAW HAS 29 SUBSTANTIVE COMMITTEES.

Global Private Litigation Committee (www.ambar.org/atcivilredress):

• The committee’s members and leaders represent a diverse range of viewpoints, practice types and geographical locations.
• The committee tracks and highlights current and influential efforts in private antitrust enforcement outside of the United States and compares those activities to civil litigation in the United States.
• The committee focuses on the important aspects of each regime and analyses the interplay as global recovery and defense strategies emerge.
• The committee keeps its members apprised of the introduction and development of class action rules internationally.
• Committee Members recommend our Indirect Purchaser Litigation Handbook (Second Edition) publication available online at shopaba.org.

COMMITTEE LEADERSHIP

Co-Chairs:
Hollis L. Salzman
Bruce L. Simon

Vice-Chairs:
Joel M. Cohen
Gregory P. Hansel
Megan Jones
Melissa H. Maxman
Judith A. Zahid

Get involved

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

PUBLISHING, SPEAKING, AND OTHER CREDENTIAL-BUILDING COMMITTEE OPPORTUNITIES.

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.”
Join the ABA
in Amsterdam

MAY 8, 2017

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DEADLINES

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<th>April 14, 2017</th>
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<tbody>
<tr>
<td>Hotel Reservations</td>
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Register online at www.ambar.org/atplaintiffs

ABA ANTITRUST GLOBALLY
Visit www.americanbar.org/antitrust for details.

- March 29–31, 2017: Spring Meeting • Washington, DC
- May 4, 2017: Global Seminar Series: Brussels • Brussels
- May 7–8, 2017: Global Private Litigation • Amsterdam
- June 1–2, 2017: Antitrust in the Americas • Mexico City
- August 10–15, 2017: ABA Annual Meeting • New York, NY
- September 28, 2017: Merger Workshop • Washington, DC
- November 16, 2017: Fall Forum • Washington, DC
- February 14–16, 2018: International Cartel Workshop • Paris
- May 17-18, 2018: Healthcare Conference • Arlington, VA

Global Private Litigation