ANTITRUST IN THE

americas conference

may 9–10, 2019
alvear palace hotel

CONFERENCE CHAIR
pablo trevisan

CONFERENCE VICE-CHAIR
kavita pillai

#atamericas
On May 9-10, 2019, government enforcers, corporate counsel and leading antitrust practitioners from throughout the Americas will convene in Buenos Aires for the fifth Antitrust in the Americas Conference sponsored by the American Bar Association Section of Antitrust. We have faculty representation from the Mexican Bar Association (Barra Mexicana, Colegio de Abogados, A.C.), the Brazilian Association for Studies on Competition, (IBRAC), Consumer Affairs and International Trade (Instituto Brasileiro de Estudos de Concorrência, Consumo e Comércio Internacional) and Buenos Aires Bar Association.

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 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. A round table panel of 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 hear from 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 historic Alvear Palace Hotel, in Buenos Aires.

We look forward to seeing you there.
THURSDAY, MAY 9, 2019

08:00 – 16:00  REGISTRATION

08:30 – 08:45  WELCOME REMARKS
Deborah A. GARZA, Chair, ABA Section of Antitrust Law, Covington & Burling LLP, Washington, DC
Pablo TREVISAN, Commissioner, Comisión Nacional de Defensa de la Competencia (CNDC), Buenos Aires

08:45 – 09:00  KEYNOTE
Invited Speakers:
His Excellency Mauricio MACRI, President of Argentina, Buenos Aires
Ignacio WERNER, Secretary of Internal Commerce, Ministry of Production & Labor, Buenos Aires

09:00 – 10:15  IN-HOUSE HOT TOPICS IN A CHANGING ENVIRONMENT
In-house counsel face the challenge of navigating their organizations through highly variable competition law regimes and levels of complexity and development in competition enforcement, particularly in Latin America. This panel will provide insight into how to best manage those challenges on a day-to-day basis, whether they involve multi-jurisdictional mergers, agency investigations, administration of compliance programs or giving advice on commercial matters to business teams.

Moderator:
Julián PEÑA, Allende & Brea Abogados, Buenos Aires

Speakers:
Russell W. DAMTOFT, Associate Director, Office of International Affairs, Federal Trade Commission, Washington, DC
Monica LUPI, Legal Head, Novartis Argentina S.A., Buenos Aires

10:15 – 11:30  DECIDING COMPETITION LAW CASES – DOES ONE SIZE FIT ALL?
Adjudication of complex competition law cases presents unique challenges for litigants, agencies and courts alike. This panel considers whether there are standards of due process and best practices for fair and efficient adjudication of these matters that should apply in any forum, and considers whether alternative dispute resolution tools such as mediation and arbitration present viable avenues for managing these time- and resource-intensive cases.

Moderator:
Elaine JOHNSTON, Allen & Overy LLP, New York, NY

Speakers:
The Honorable Robert L. BARNES, Justice, Federal Court of Canada, Ottawa
Javier TAPIA, Member, Tribunal De Defensa De La Libre Competencia, Santiago

11:30 – 11:45  BREAK
11:45 – 13:00  CARTEL ENFORCEMENT: WHATS ON THE MENU?
Cartel enforcement has become a top priority in the global enforcement community. In this session, leading cartel defense attorneys and former prosecutors will explore the current state of cartel enforcement in Latin America, the United States and around the globe, focusing on identifying areas in which criminal investigations and prosecutions are slowing down or picking up, and exploring why and what to expect next.

Moderator:
Heather S. NYONG’O, WilmerHale, Palo Alto, CA

Speakers:
Miguel DEL PINO, Marval OFarrell & Mairal, Buenos Aires
Carlos MENA-LABARTHE, Creel Garcia-Cuellar Aiza Y Enriquez SC, Mexico City
Felipe SERRANO PINILLA, Serrano Martinez, Bogotá
Mariana TAVARES DE ARAUJO, Levy & Salomao, Rio De Janiero

13:00 – 14:15  NETWORKING LUNCH

14:15 – 15:30  BID RIGGING: ANTICORRUPTION MEETS COMPETITION ENFORCEMENT
Bid rigging cases involving the intersection of fraud, anti-corruption and competition law enforcement have become the “new normal,” creating unique challenges involving overlapping enforcement mandates, issues of leniency and cooperation, and assessment of penalties. This panel of enforcers and practitioners considers lessons learned from recent high-profile cases in Brazil, Argentina and elsewhere.

Moderator:
John PECMAN, Fasken Martineau DuMoulin LLP, Ottawa

Speakers:
Laura ALONSO, Secretariat of Public Ethics, Transparency and the Fight against Corruption, Anticorruption Office, Ministry of Justice & Human Rights of Argentina, Buenos Aires
Fernando CARREÑO NUÑEZ, Von Wobeser y Sierra SC, Mexico City
Alexandre CORDEIRO MACEDO, General Superintendent, Conselho Administrativo De Defesa Econômica (CADE), Brasilia
Eduardo FRADE, VMCA Advogados, Sao Paul
15:30 – 17:00  **ENFORCERS ROUNDTABLE: DEVIL IS IN THE DETAIL**

Competition laws across Americas are largely consistent in terms of prohibited conduct, but vary widely in terms of execution, enforcement priorities and penalties. This panel of enforcement leaders will delve into these sometimes nuanced differences and the prospects for convergence and enhanced cooperation.

*Moderator:*
Deborah A. **GARZA**, Covington & Burling LLP, Washington, DC

*Speakers:*
Esteban **GRECO**, President, Comisión Nacional de Defensa de la Competencia (CNDC), Buenos Aires
Brenda **HERNANDEZ**, Commissioner, Comisión Federal de Competencia (COFECE), Mexico City
Mauricio **MAIA**, Commissioner, Conselho Administrativo de Defesa Econômica (CADE), Brasilia
Noah J. **PHILLIPS**, Commissioner, Federal Trade Commission, Washington, DC
Ricardo **RIESCO**, National Economic Prosecutor, Fiscalía Nacional Económica (FNE), Santiago

17:00 – 18:00  **COCKTAIL RECEPTION**

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**FRIDAY, MAY 10, 2019**

08:00 – 12:00  **REGISTRATION**

08:30 – 08:35  **WELCOMING REMARKS**

08:35 – 09:45  **BIG DATA: BIGGER PLATFORMS, BIGGER CONCERNS?**

Internet platforms and network effects are here to stay, and aggregation of consumer/customer data is accelerating. When does data aggregation raise serious concerns regarding anticompetitive effects? This panel will explore that question as well as the extent to which ongoing enforcement actions in the Big Data space pose a risk of chilling procompetitive behavior.

*Moderator:*
Maureen K. **OHLHAUSEN**, Baker Botts LLP, Washington, DC

*Speakers:*
Rosanna **GARZA LIPSCOMB**, Senior Competition Counsel, Google Inc, Mountain View, CA
Cormac **LITTLE**, William Fry, Dublin
Marianela **LÓPEZ-GALDOS**, Director, Computer and Communications Industry Association (CCIA), Washington, DC
Ana **PELLEGRINI**, Legal Director, Litigation and Global Competition Law, Uber Technologies Inc, San Francisco, CA
FRIDAY, MAY 10, 2019

09:45 – 10:45  WILL PRIVATE DAMAGES ACTIONS TAKE OFF IN LATIN AMERICA?
As competition law awareness expands in Latin America, private damages actions are also expected to proliferate and provide a new platform for consumer and competitor redress. This panel will explore the recent emergence of damages actions in American jurisdictions and forecast the ways in which these actions will shape the legal landscape for potential plaintiffs and defendants.

Moderator:
Nicolás LEWIN, Estudio Lewin Abogados, Santiago

Speakers:
Joseph M. ALIOTO, Alioto Law Firm, San Francisco, CA
Laura BIERZYCHUDEK, Estudio Trevisán Abogados, Buenos Aires
Patrick HUBERT, Orrick Herrington & Sutcliffe LLP, Paris
Rita MOTTA, Latham & Watkins LLP, Brussels

10:45 – 11:00  BREAK

11:00 – 12:00  MERGER CONTROL IN A MULTIJURISDICTIONAL CONTEXT
As competition law develops around the globe, deals big and small and across all industries now routinely face multiple, simultaneous merger reviews. Because the analysis of and approach to competitive effects varies by jurisdiction, parties and enforcers alike must take into account the processes of all regulators looking at a transaction in determining the course forward. This panel will explore the realities of multijurisdictional merger control and the potential for streamlining the multi-track review process.

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

Speakers:
Barbara ROSENBERG, Barbosa Mussnich & Aragao Advogados, São Paulo
Agustín SIBOLDI, Chair, Competition Committee, Buenos Aires Bar Association, Buenos Aires
Izzet M. SINAN, Morgan Lewis & Bockius LLP, Brussels

12:00 – 12:30  CLOSING KEYNOTE

Speakers:
The Honorable Makan DELRAHIM, Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
Discounted Registration Cut-off: Friday, April 19, 2019

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.

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<th>Registration Rates</th>
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Your registration fee includes: admission to CLE sessions, CLE credit, course materials, lunch and reception.

TWO WAYS TO REGISTER

Online
May 8, 2019
www.ambar.org/atamericas
Online registrants will receive an electronic confirmation within one day

On-site
May 9, 2019
Alvear Palace Hotel
Avenida Alvear 1891 (C1129AAA)
Buenos Aires, Argentina
Ph: 54.11.4808.2170

DISCOUNTS

Early Registration
Registrations received by April 19, 2019 will be processed at the discounted registration rate.

ABA Antitrust Section Members
You save just by being a member. The discount is reflected on the registration page.

ABA Members
Join the Section of Antitrust Law ($60.00) and register at the reduced rate reserved for Antitrust Law Section members.

Not an ABA Member
Join now and save by going to www.ambar.org/join

Government, Academics, LLMS, and Nonprofits
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) or a student who has passed a Bar, but is currently seeks a LLM, and is not working as an attorney

Law Students
Discounted registration for currently enrolled law students who have not passed a Bar and/or are not licensed to practice. Availability is limited.
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 5:00 pm CST, on April 26, 2019. 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
Emailed requests for substitutions will be permitted. 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.

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 or participation in the 2019 Antitrust in Americas 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
The ABA will seek 10.25 hours of CLE general credit in 60-minute states, and 12 hours of CLE general credit for this program in 50-minute. Credit hours are estimated and are subject to each state’s approval and credit rounding rules. Please visit the conference website at www.ambar.org/atamericas for CLE details or visit www.americanbar.org/mcle for general information on CLE at the ABA.

International Committee Recommended Publications:

2018 Annual Review of Antitrust Law Developments
International Cartel Handbook

AVAILABLE ONLINE at americanbar.org/products
HOTEL RESERVATIONS CUT-OFF: Thursday April 10, 2019

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

Alvear Palace Hotel
Avenida Alvear 1891
(C1129AAA)
Buenos Aires,
Argentina
Ph: 54.11.4808.2170

Conference Rates:
$275.00 + tax - Single/Double Run of House

Reservation Link:

Call hotel directly at 54.11.4808.2170 and reference “ABA 2019 Antitrust in the Americas V”

- Rate includes breakfast for one, guest room wifi, fitness center access & business center access.
- Individuals responsible for making their reservations.
- Cancellations must be made 72 hours prior to scheduled day of arrival to avoid one-night cancellation charge.

AIR TRAVEL/DISTANCE TO CONFERENCE

Aeroparque Jorge
Newbery (AEP)
Travel Time via taxi: 15 minutes
Distance: 6.7 Kilometers
Taxi Cost: $2-$3 Argentine pesos

Ezeiza International Airport (EZE)
Travel Time via taxi: 46 minutes
Distance: 32.9 Kilometers
Taxi Cost: $10 Argentine pesos

ABA NEGOTIATED AIRFARE DISCOUNTS.

ABA discounts can also be obtained directly from the carrier:

American
Discount only available at

Delta 800.328.1111
Global Meeting Code: Domestic NMS9P
Online Meeting Event Code: NMS9P
Discount available at www.delta.com

United 800.426.1122
For ABA Meetings Only Agreement Code: 8880300 / Z Code: ZFX6
Discount available at www.united.com
Click All Search Options and enter
Online Discount Code: ZFX6888030 in the Promotions and Certificates box. Not for Leisure Travel

* A Travel Profile is required when booking airline reservations with ABA Egencia, visit www.americanbar.org/travel for more information.

INTERNATIONAL TRAVEL DETAILS

We encourage anyone traveling from outside of Buenos Aires to attend the ABA Antitrust in the Americas Conference. Detailed information is available at:
- www.buenos-aires.com/v/visa-requirements
- ar.usembassy.gov/visas
Join the ABA in Buenos Aires
May 9-10, 2019
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ambar.org/atamericas

DEADLINES

April 10, 2019
Hotel Reservations
April 19, 2019
Early Registration Bird
5:00pm CST; May 8, 2019
Online Registration

Mark your calendar for other upcoming ABA Section of Antitrust Law Conferences. Visit www.americanbar.org/antitrust for details.

May 9-10, 2019
Antitrust in the Americas | Alvear Hotel, Buenos Aires

June 17, 2019
Global Private Litigation | Hotel Adlon Kempinski, Berlin

August 8-13, 2019
ABA Annual Meeting | San Francisco, CA

September 4, 2019
Global Seminar Series: Tel Aviv

October 14-15, 2019
The In-House Institute at Devil’s Thumb Ranch

October 24, 2019
Global Seminar Series: Copenhagen

November 18, 2019
Fall Forum: The Tech Summit: Competition Bits & Consumer Bytes Ronald Reagan Building and International Trade Center, Washington, DC

January 2020
Next Generation Antitrust Scholars
NYU Law School, New York

January 2020
Global Seminar Series: Sydney

February 19-21, 2020
International Cartel Workshop | Palace Hotel, San Francisco, CA

April 22-24, 2020
Spring Meeting | Marriott Marquis, Washington, DC

May 2020
Antitrust in Healthcare | Arlington, VA

June 2020
Antitrust in Asia, Singapore

REGISTER & SAVE

Register online at ambar.org/atamericas

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ambar.org/atamericas