



ASSOCIATION YEAR
2002-2003

CHAIR
Robert T. Joseph
8000 Sears Tower
233 South Wacker Drive
Chicago, IL 60606-6342

CHAIR-ELECT
Kevin E. Grady
One Atlantic Center
1201 West Peachtree St., NW
Atlanta, GA 30309-3424

VICE-CHAIR
Richard J. Wallis
1 Microsoft Way
Redmond, WA 98052-6399

SECRETARY
Kathryn M. Fenton
Washington, DC

COMMITTEE OFFICER
Joseph Angland
New York, NY

FINANCE OFFICER
Barbara O. Bruckmann
Washington, DC

INTERNATIONAL OFFICER
Abbott B. Lipsky Jr.
Washington, DC

PROGRAM OFFICER
Donald C. Klaviter
Washington, DC

PUBLICATIONS OFFICER
James A. Wilson
Columbus, OH

SECTION DELEGATES
Pamela Jones Harbour
New York, NY

Allan Van Fleet
Houston, TX

IMMEDIATE PAST CHAIR
Roxane C. Busey
Chicago, IL

COUNCIL MEMBERS
Stephen W. Armstrong
Philadelphia, PA

William Blumenthal
Washington, DC

Edward F. Glynn Jr.
Washington, DC

Calvin S. Goldman
Toronto, Ontario

Irene Knable Gots
New York, NY

William L. Greene
Minneapolis, MN

Margaret E. Guerin-Calvert
Washington, DC

Jeffery A. LeVee
Los Angeles, CA

M. Howard Morse
Washington, DC

Kevin J. O'Connor
Madison, WI

Debra J. Pearlstein
New York, NY

Keith D. Shugarman
Washington, DC

Richard M. Steuer
New York, NY

Theodore Voorhees
Washington, DC

Robert C. Walters
Dallas, TX

JUDICIAL REPRESENTATIVE
Honorable Douglas H. Ginsburg
Washington, DC

DEPARTMENT OF JUSTICE REPRESENTATIVE
Honorable Charles A. James
Washington, DC

NAAG REPRESENTATIVE
Patricia A. Conners
Tallahassee, FL

FTC REPRESENTATIVE
Honorable Timothy Muris
Washington, DC

BOARD OF GOVERNORS REPRESENTATIVE
Blake Tartt
Houston, TX

YOUNG LAWYERS DIVISION REPRESENTATIVE
Katherine A. Havely
Washington, DC

SECTION DIRECTOR
Joanne Travis
(312) 988-5575
travisj@staff.abanet.org

AMERICAN BAR ASSOCIATION

Section of Antitrust Law
750 North Lake Shore Drive
Chicago, Illinois 60611
(312) 988-5550
FAX: (312) 988-5637
e-mail: antitrust@abanet.org
http://www.abanet.org/antitrust

March 28, 2003

Via E-mail and Federal Express

European Commission
Competition Directorate-General
Horizontal Guidelines
B-1049 Brussels
Belgium

Ladies and Gentlemen:

The Section of Antitrust Law and the Section of International Law and Practice of the American Bar Association (collectively, the "Sections") are pleased to submit the enclosed joint comments on the *Draft European Commission Notice on the Appraisal of Horizontal Mergers* (the "Draft Notice") under the Council Regulation on the Control of Concentrations Between Undertakings (the "ECMR") (Dec. 11, 2002).

The views expressed herein are being presented jointly on behalf of the Sections. They have not been approved by the House of Delegates or the Board of Governors of the American Bar Association and, accordingly, should not be construed as representing the policy of the Association.

If you have any questions after reviewing this report, we would be happy to provide further comments.

Sincerely,

Robert T. Joseph
Chair, Section of Antitrust Law

Don S. De Amicis
Chair, Section of International Law and Practice

Enclosures