

**AMERICAN BAR ASSOCIATION**

**Section of Antitrust Law**

321 North Clark Street  
Chicago, IL 60654-7598  
(312) 988-5550

FAX: (312) 988-5637

E-mail: [antitrust@abanet.org](mailto:antitrust@abanet.org)

<http://www.abanet.org/antitrust>

**ASSOCIATION YEAR  
2008-2009**

**CHAIR**  
James A. Wilson  
52 East Gay Street  
Columbus, OH 43216

**CHAIR ELECT**  
Ilene Knable Gotts  
51 West 52nd Street  
New York, NY 10019

**VICE CHAIR**  
Allan Van Fleet  
Suite 1800 Wells Fargo Plaza  
1000 Louisiana Street  
Houston, TX

**SECRETARY AND  
COMMUNICATIONS OFFICER**  
Richard G. Parker  
Washington, DC

**COMMITTEE OFFICER**  
Richard M. Steuer  
New York, NY

**FINANCE OFFICER**  
Keith D. Shugartman  
Washington, DC

**INTERNATIONAL OFFICER**  
H. Stephen Harris, Jr.  
Atlanta, GA

**PROGRAM OFFICER**  
Christopher B. Hockett  
Menlo Park, CA

**PUBLICATIONS OFFICER**  
Debra J. Pearlstein  
New York, NY

**SECTION DELEGATES**  
Joseph G. Krauss  
Washington, DC

Theodore Voorhees, Jr.  
Washington, DC

**IMMEDIATE PAST CHAIR**  
Kathryn M. Fenton  
Washington, DC

**COUNCIL MEMBERS**  
Stephen Calkins  
Detroit, MI

Patricia A. Connors  
Tallahassee, FL

Alicia L. Downey  
Boston, MA

Michael G. Egge  
Washington, DC

Howard Feller  
Richmond, VA

Deborah A. Garza  
Washington, DC

Kenneth L. Glazer  
Washington, DC

Brian R. Henry  
Atlanta, GA

Jonathan M. Jacobson  
New York, NY

Bernard A. Nigro, Jr.  
Washington, DC

Mark S. Popofsky  
Washington, DC

J. Robert Robertson  
Washington, DC

Randolph W. Tritell  
Washington, DC

John E. Villafranco  
Washington, DC

Gary P. Zanfagna  
Morristown, NJ

**NON-U.S. LAWYER  
REPRESENTATIVE**  
Calvin S. Goldman  
Toronto, ON

**NON-LAWYER  
REPRESENTATIVE**  
David T. Scheffman  
Washington, DC

**DOJ REPRESENTATIVE**  
Thomas O. Barnett  
Washington, DC

**FTC REPRESENTATIVE**  
William E. Kovacic  
Washington, DC

**JUDICIAL REPRESENTATIVE**  
Lewis A. Kaplan  
New York, NY

**STATE ATTORNEYS  
GENERAL REPRESENTATIVE**  
Robert L. Hubbard  
New York, NY

**BOARD OF GOVERNORS  
REPRESENTATIVE**  
Paulette Brown  
Madison, NJ

**YOUNG LAWYERS  
DIVISION REPRESENTATIVE**  
Andrea M. Agathoklis  
Washington, DC

**SECTION DIRECTOR**  
Joanne Travis  
Chicago, IL  
(312) 988-5575  
(312) 988-5637

Travisj@staff.abanet.org

October 9, 2008

Via E-mail and Express Mail

Mr. Scott Rogers  
Competition and Consumer Policy Division  
The Treasury  
Langton Crescent  
PARKES ACT 2600

**Re:** Comments on the Australian Commonwealth Government Treasury's Discussion Paper on Creeping Acquisitions

Dear Mr. Rogers:

On behalf of the American Bar Association Sections of Antitrust Law and International Law, we are pleased to submit the attached comments on the Australian Commonwealth Government Treasury's Discussion Paper on Creeping Acquisitions.

Please note that these views are being presented only on behalf of the Sections of Antitrust Law and International Law. They have not been approved by the House of Delegates or the Board of Governors of the American Bar Association and should not be construed as representing the position of the American Bar Association.

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

Sincerely,

James A. Wilson  
Chair, Section of Antitrust Law

Aaron Schildhaus  
Chair, Section of International Law

Attachment