

AMERICAN BAR ASSOCIATION

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November 10, 2005

**Via Express Mail and E-mail**

Antitrust Modernization Commission

Attention: Public Comments

1120 G Street, N.W.

Suite 810

Washington, DC 20005

**Re: Comments Regarding the Role of Efficiencies in Merger Enforcement**

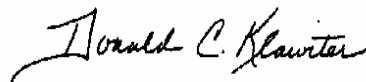
Ladies and Gentlemen:

On behalf of the Section of Antitrust Law of the American Bar Association, I am pleased to submit the enclosed comments to the Antitrust Modernization Commission in response its request for comments relating to the treatment of efficiencies in merger enforcement by the Federal Trade Commission and Department of Justice selected for study by the Commission.

Please note that these views are being presented only on behalf of the Section of Antitrust Law and 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,



Donald C. Klawiter

Chair, Section of Antitrust Law

**ASSOCIATION YEAR**  
2005-2006

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