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March 26, 2009

**Via E-mail**

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

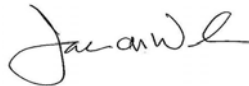
Dear Mr. Rogers:

On behalf of the American Bar Association Sections of Antitrust Law and International Law we are pleased to submit the attached comments in response to the January 9, 2009 Discussion Paper of the Competition and Consumer Policy Division of the Treasury entitled *Meaning of "Understanding" in the Trade Practice Act 1974*.

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