13TH INTERNATIONAL

cartel workshop

february 19–21, 2020
san francisco, ca
palace hotel

workshop chair
d. jarrett arp

workshop vice chairs
casey w. halladay
amy b. manning
Dear Colleagues,

The American Bar Association Antitrust Law Section and the International Bar Association Antitrust Committee are delighted to invite you to the 13th International Cartel Workshop, which will be held in San Francisco during February 19-21, 2020. Recognized globally as the premier international cartel conference, it is presented every two years. Each time it takes place in a different major city. Most recently, the conference was held in Paris in 2018 and Tokyo in 2016. We are thrilled to be back in San Francisco for 2020.

The San Francisco workshop will continue the Workshop’s long tradition of instruction by demonstration. It will feature a diverse and highly experienced faculty of private attorneys and government enforcers leading participants through a hypothetical global cartel investigation – from detection of a conspiracy to the ultimate disposition of the enforcement actions in jurisdictions around the world. In addition to multiple real world demonstrations across three days, the Workshop will feature a number of roundtable discussions, including a combined private bar-enforcer panel to discuss whether and why the so-called Leniency Revolution has waned. The 2020 Workshop will also feature two enforcers’ roundtables, including the Workshop’s headline gathering of heads of agency from around the globe.

The 2020 Workshop will include a variety of new features, including a significant increase in enforcer participation. The faculty includes representatives from five jurisdictions not previously or recently represented at the Workshop, as well as a record ten representatives of the U.S. Department of Justice’s Antitrust Division. Among other things, the Antitrust Division will demonstrate an internal charging deliberation and participate in a demonstration of opening arguments at a contested criminal trial in a U.S. criminal case before U.S. District Court Judge Jon Tigar. The Workshop will also showcase a new no-preparation, unscripted demonstration by experienced counsel illustrating what happens when clients second-guess defense counsel, as well as a conversation with Harvard professor Dr. Eugene Soltes, author of Why They Do It: Inside the Mind of A White-Collar Criminal. Finally, we have built into the program additional commentary panels during which an “anchor” will host a substantive and entertaining “back in the studio” style discussion of the demonstration just observed.

We hope you will join us in San Francisco for this comprehensive and exciting conference. Please register early to take advantage of the early bird discounts and secure your seat – the Workshop has sold out in previous years. We look forward to seeing you in San Francisco.

Brian R. Henry  
Chair, ABA Antitrust Law Section

D. Jarrett Arp  
Workshop Chair

Daniel G. Swanson  
IBA Competition Section Chair

Casey W. Halladay  
Workshop Vice-Chair

Amy B. Manning  
Workshop Vice-Chair
WEDNESDAY, FEBRUARY 19, 2020
SESSIONS ARE LOCATED IN THE GRAND BALLROOM

8:45 - 9:00
WELCOME
A Brief Welcome from ABA Antitrust Law Section Chair.

Brian R. HENRY, ABA Antitrust Law Section Chair, Vice President and Senior Managing Counsel, Coca-Cola, Atlanta, GA

WORKSHOP OVERVIEW
D. Jarrett ARP, Workshop Chair, Gibson Dunn & Crutcher LLP, Washington, DC

Daniel G. SWANSON, Gibson Dunn & Crutcher LLP, Los Angeles, CA

9:00 - 9:20
ANTITRUST DIVISION WELCOME
Welcome and Opening Remarks.

Richard A. POWERS, Deputy Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC

9:20 - 10:20
1. DEMONSTRATION
An Unexpected Discovery
A Company’s General Counsel Discovers Improper Competitor Contacts.

Scene 1
Casey W. HALLADAY, McMillan LLP, Toronto
Elizabeth PREWITT, Latham & Watkins LLP, New York, NY

Scene 2
Casey W. HALLADAY, McMillan LLP, Toronto
Thomas MUELLER, WilmerHale LLP, Washington, DC
Elizabeth PREWITT, Latham & Watkins LLP, New York, NY

10:20 - 10:30
BREAK

10:30 - 12:10
2. DEMONSTRATION
To Be or Not To Be (A Leniency Applicant)?
A Company’s Board Grapples with Discovery of Misconduct, Options in Response, Corporate Governance & Other Issues.

Demonstration
Ulrich DENZEL, Gleiss Lutz, Stuttgart
Thomas MUELLER, WilmerHale LLP, Washington, DC
Barbara ROSENBERG, Barbosa Müssnich Aragão, Sao Paulo
12:10 – 13:00  LUNCH – GOLD BALLROOM

13:00 – 14:50  3. ROUNDTABLE
Has The Leniency Revolution Stalled?  
What are the Major Trends in Cartel Enforcement?

Moderator:
Sarretta MCDONOUGH, Associate General Counsel, Antitrust & Commercial Litigation, Intel Corporation, Santa Clara, CA

Speakers:
Rachel S. BRASS, Gibson Dunn & Crutcher LLP, San Francisco, CA
Alexandre CORDEIRO MACEDO, General Superintendent, Brazilian Administrative Council for Economic Defense, Brasilia
Frank MONTAG, Freshfields LLP, Brussels
Richard A. POWERS, Deputy Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
Brent SNYDER, Chief Executive Officer, Hong Kong Competition Commission, Hong Kong
Mariana TAVARES DE ARAUJO, Levey & Salmao, Rio de Janeiro
John F. TERZAKEN, Simpson Thacher & Bartlett LLP, Washington, DC

14:50 - 15:10  BREAK

15:10 – 17:25  4. DEMONSTRATION
A Series of Unfortunate Events  

Video
James H. MUTCHNIK, Kirkland & Ellis LLP, Chicago, IL

Demonstration
John H. CHOI, Shin & Kim, Seoul
Randal T. HUGHES, Bennett Jones LLP, Toronto
Philip MANSFIELD, Allen & Overy, London
Carlos MENA LABARTHE, Creel García-Cuéllar Aiza & Enriquez, Mexico City
Raven MOORE, Managing Counsel of Commercial Litigation, McDonald’s USA, Chicago, IL
Phillip H. WARREN, Covington & Burling LLP, San Francisco, CA
Kimitoshi YABUKI, Yabuki Law Office, Tokyo

17:25 – 17:30  ANNOUNCEMENTS
THURSDAY, FEBRUARY 20, 2020
SESSIONS LOCATED IN GRAND BALLROOM

08:45 – 09:45  5. DEMONSTRATION
Do I Need a Lawyer?
An Individual Meets with Counsel.
Demonstration
Marc SIEGEL, Jones Day, San Francisco, CA
Lisa TENORIO-KUTZKEY, DLA Piper, San Francisco, CA

09:45 – 10:35  6. AUTHOR DISCUSSION
Inside the Mind of a White-Collar Criminal
A Conversation with Eugene Soltes, Author of “Why They Do It: Inside the Mind of a White-Collar Criminal.”
Interviewer
Jasvinder NAKHWAL, Peters & Peters, London
Interviewee
Eugene SOLTES, Harvard Business School, Cambridge, MA

10:35 – 10:50  BREAK

10:50 – 12:10  7. DEMONSTRATION
Organizing the Defense
Defense Counsel Meet to Consider Joint Defense & Response to Civil Litigation.
Demonstration
Boris BERSHTEYN, Skadden Arps Slate Meagher & Flom LLP, New York, NY
Jeremy J. CALSYN, Cleary Gottlieb Steen & Hamilton LLP, Washington, DC
Kathryn HELLINGS, Hogan Lovells LLP, Washington, DC
Lisa M. PHELAN, Morrison & Foerster LLP, Washington, DC
Douglas M. TWEEN, Linklaters LLP, New York, NY

17:30-18:30  WINE RECEPTION
Introduction:
Brian R. HENRY, Vice President and Senior Managing Counsel, Coca-Cola, Atlanta, GA
Welcome to San Francisco:
Gary R. SPRATLING, Gibson Dunn & Crutcher LLP, San Francisco, CA
13:00–15:10 8. DEMONSTRATION

Negotiating a Disposition in the U.S. & the EU.

Demonstration—DOJ Internal Charging Deliberation

Andre GEVEROLA, Director of Criminal Litigation, U.S. Department of Justice, Antitrust Division, Washington, DC

Manish KUMAR, Section Chief, U.S. Department of Justice, Antitrust Division, San Francisco, CA

Alexandra SHEPARD, Trial Attorney, U.S. Department of Justice, Antitrust Division, San Francisco, CA

Eyitayo ST. MATTHEW-DANIEL, Counsel to the Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC

Negotiation Demonstration (U.S. DOJ)

Peter HUSTON, Baker Botts, San Francisco, CA

Jacklin C. LEM, Assistant Section Chief, U.S. Department of Justice, Antitrust Division, San Francisco, CA

Tiffany RIDER, Axinn Veltrop & Harkrider LLP, Washington, DC

Alexandra J. SHEPARD, Trial Attorney, U.S. Department of Justice, Antitrust Division, San Francisco, CA

Settlement Demonstration

Kristina NORDLANDER, Sidley & Austin LLP, Brussels

Christof R.A. SWAAK, Stibbe, Amsterdam

15:10–15:25 BREAK

15:25–17:15 9. ROUNDTABLE

A Brief Trip Around the World

A Discussion with Cartel Enforcers from Across the Globe.

Moderator:

Elizabeth PREWITT, Latham & Watkins LLP, New York, NY

Speakers:

Andres BARETTO GONZALES, Superintendent, Superintendence of Industry and Commerce, Bogota

Howard CARTLIDGE, Senior Director, Cartels, Competition and Markets Authority, London

Makgale MOHLALA, Manager, Cartels Division, Competition Commission South Africa, Pretoria

Konrad OST, Vice President, Bundeskartellamt, Berlin

Brent SNYDER, Chief Executive Officer, Hong Kong Competition Commission, Hong Kong

Sriraj VENKATASAMY, Joint Director (Law), Competition Commission of India, New Delhi
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<td>17:20-18:20</td>
<td>WINE RECEPTION</td>
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<tr>
<td>18:30-19:30</td>
<td>YOUNG LAWYERS’ NETWORKING EVENT</td>
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</table>
| 8:45 – 10:25 | **10. DEMONSTRATION**<br>Managing the Unmanageable<br>Implementing a Leniency Strategy & Managing Government Requests on a Global Scale.  
**Demonstration**<br>Ameera ASHRAF, Wong Partnership LLP, Singapore  
Elizabeth AVERY, Gilbert & Tobin, Sydney  
Marcelo CALLIARI, Tozzi Freire Advogados, Sao Paulo  
Cani FERNANDEZ, Cuatrecasas, Madrid  
Kenji ITO, Mori Hamada & Matsumoto, Tokyo  
Rebecca JUSTICE LAZARUS, Vice President & Deputy General Counsel, Matson Navigation Company, Oakland, CA  
John F. TERZAKEN, Simpson Thacher & Bartlett LLP, Washington, DC |
| 10:25 – 10:40| BREAK                                      |
| 10:40 – 12:15| **11. DEMONSTRATION**<br>When Clients Get Angry<br>Defense Counsel for the Leniency Applicant Face Second-Guessing by a Client.  
**Demonstration**<br>Katherine L. KAY, Stikeman Elliott LLP, Toronto  
Karen R. KOWALSKI, Executive Director and Counsel, UBS AG, New York, NY  
Thomas MUELLER, WilmerHale LLP, Washington, DC  
Frank MONTAG, Freshfields LLP, Brussels  
Elizabeth PREWITT, Latham & Watkins LLP, New York, NY |
| 12:15 – 13:15| LUNCH-GOLD BALLROOM                       |
13:15 – 14:45  
**12. DEMONSTRATION**

Taking it to Trial  
*The Government and Counsel for a Defendant Company Present Opening Arguments at a Contested Criminal Trial.*

**Demonstration**

*The Honorable Jon S. TIGAR*, U.S. District Judge, U.S. District Court for the Northern District of California, San Francisco, CA  
*Andrew MAST*, Trial Attorney, U.S. Department of Justice, Antitrust Division, San Francisco, CA  
*Wendy Huang WASZMER*, Wilson Sonsini Goodrich & Rosati PC, New York, NY  
*Leslie WULFF*, Trial Attorney, U.S. Department of Justice, Antitrust Division, San Francisco, CA

14:45 – 15:00  
**BREAK**

15:00 – 17:00  
**13. ROUNDTABLE**

The Enforcer Roundtable.  
**Moderator:**  
*D. Jarrett ARP*, Gibson Dunn & Crutcher LLP, Washington, DC  
**Speakers:**

*Australia:*  
*Sarah COURT*, Commissioner, Australian Competition & Consumer Commission, Canberra  
*Canada:*  
*Mathew BOSWELL*, Commissioner, Competition Bureau Canada, Gatineau  
*Japan:*  
*REIKO AOKI*, Commissioner, Japan Fair Trade Commission, Tokyo  
*Mexico:*  
*Alejandra PALACIOS PRIETO*, Chairwoman, Comision Federal de Competencia Económica, Mexico City  
*United States:*  
*The Honorable Makan DELRAHIM*, Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC

17:00 – 17:05  
**CONCLUDING COMMENTS**
COMMENTATORS:

Commentators are a new feature. After each Demonstration, our cartel experts will assess what took place and why, address inflection points, and offer their observations highlighting decisions made and paths taken during the Demonstrations that could have been approached differently. The commentary will be lively and unscripted; they will call it as they see it!

WEDNESDAY

Anchor:
Kenneth R. O’ROURKE, Wilson Sonsini Goodrich & Rosati PC, Washington, DC

AM:
Marcus BEZZI, Executive General Manager, Specialized Enforcement and Advocacy, Australian Competition & Consumer Commission, Sydney
Sarretta MCDONOUGH, Associate General Counsel, Antitrust & Commercial Litigation, Intel Corporation, Santa Clara, CA

PM:
Marcus BEZZI, Executive General Manager, Specialized Enforcement and Advocacy, Australian Competition & Consumer Commission, Sydney
Sarretta MCDONOUGH, Associate General Counsel, Antitrust & Commercial Litigation, Intel Corporation, Santa Clara, CA

THURSDAY

Anchor:
Katherine L. KAY, Stikeman Elliott LLP, Toronto

AM:
Elizabeth AVERY, Gilbert & Tobin, Sydney
James H. MUTCHNIK, Kirkland & Ellis LLP, Chicago, IL
Bruce L. SIMON, Pearson, Simon & Warshaw LLP, San Francisco, CA

PM:
Katherine L. KAY, Stikeman Elliott LLP, Toronto

FRIDAY

Anchor:
Daniel SWANSON, Gibson Dunn & Crutcher LLP, Los Angeles, CA

AM:
Mikal CONDON, Trial Attorney, U.S. Department of Justice, Antitrust Division, San Francisco, CA
Barbara ROSENBERG, Barbosa Müssnich Aragão, Sao Paulo
Brent SNYDER, Chief Executive Officer, Hong Kong Competition Commission, Hong Kong
Leslie WULFF, Trial Attorney, U.S. Department of Justice, Antitrust Division, San Francisco, CA

PM:
Amy B. MANNING, McGuireWoods LLP, Chicago, IL
The Honorable Jon S. TIGAR, U.S. District Court Judge, U.S. District Court for the Northern District of California, San Francisco, CA
Discounted Registration Cut-off: Monday, January 29, 2020

Various registration rates and discounts are available for your convenience. Those registered by January 29 will be listed on the online delegate roster and will have advance access to the course materials prior to the conference.

Attendees will receive electronically an Attendee Roster and course materials access prior to the conference.

Please note 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.

Advanced Registration is Required

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<thead>
<tr>
<th>Registration Rates</th>
<th>ABA Antitrust Law Section Member</th>
<th>ABA Non-Section Member/IBA Members</th>
<th>Non-Member</th>
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<tr>
<td>List Rate-up to January 29</td>
<td>$1425.00</td>
<td>$1625.00</td>
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<tr>
<td>List Rate-after January 29</td>
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<td>Government/Academics/LLM/Non-Profits up to January 29</td>
<td>$425.00</td>
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<td>Government/Academics/LLM/Non-Profits after January 29</td>
<td>$475.00</td>
<td>$575.00</td>
<td>$675.00</td>
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<td>Law Students (Limited spots available, must present law school ID with date of graduation at badge pickups. LLM Students would register at the nonprofit rate)</td>
<td>$25.00</td>
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Online

www.ambar.org/atcartel
Online registrants will receive an electronic confirmation within one day.

Your registration fee includes: admission to breaks, CLE sessions, CLE Credit, course materials, luncheons, and receptions.

Did you know...

The Section offers the following discounts at our conferences:

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<th>Early Registration</th>
<th>Registrations received by January 29 will be processed at the discounted registration rate.</th>
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<tbody>
<tr>
<td>ABA Antitrust Section Members</td>
<td>The registration rate for Antitrust Law Section is reduced for this conference as a member benefit. The discount is reflected on the registration page online.</td>
</tr>
<tr>
<td>ABA Members</td>
<td>Join the Antitrust Law Section ($60.00) and register at the reduced rate reserved for Antitrust Law Section members.</td>
</tr>
<tr>
<td>Not an ABA Member</td>
<td>Join now and save by going to <a href="http://www.ambar.org/join">www.ambar.org/join</a></td>
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Registration

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 4:00 pm CST on February 3, 2020.

There will be no refunds after this date. Please allow four to six weeks after the conference for the processing of any refunds. The ABA reserves the right to cancel any conference or portion thereof and assumes no responsibility for personal expenses.

Written requests for substitutions will be permitted prior to the conference for requests received by 4:00 (CST) on February 17, 2020. After this date, substitutions will need to be made on-site. 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.

Continuing Legal Education (CLE)
The ABA will seek 20.40 of CLE general credit in 60-Minute states and 24.40 of CLE general credit in 50-minute states. Credit hours are estimated and are subject to each state’s approval and credit rounding rules. Please visit the Institute website at www.ambar.org/atinhouse for CLE details or visit www.americanbar.org/mcle for general Information on CLE at the ABA.

Course Materials
The Course Materials for each session will be compiled and distributed online prior to the conference.

Roster of Participants
A roster of conference participants is available online at www.ambar.org/atcartel 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 at or participation in the 2020 International Cartel Workshop 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.

Scholarship:
Financial scholarship applications are available for this conference. To request an application or receive additional information, contact: at-registrar@americanbar.org

For courses costing over $500, attorneys who qualify will receive at least a 50% reduction in the course fees. This does not include any reduction in meals, lodging, or travel costs associated with the course.
HOTEL RESERVATIONS CUT-OFF: January 10, 2020
Individuals are responsible for making their own hotel accommodations. A discounted block of sleeping rooms has been reserved under the “ABA Antitrust Law Section International Cartel Workshop.” Rooms will be available until the cut-off or when the block fills, whichever comes first.

HOTEL RATES:
Single/Double Lodge Rooms: $395.00+tax

- For reservations please call 415.512.1111, and refer to the ABA International Cartel Workshop.
- The ABA rate is available 3 days pre-& post the conference pending availability.
- Room Rate includes complimentary guestroom internet and fitness center access.
- Rooms shall be available for check-in no later than 4:00PM. Check-out is 12:00PM.
- Individuals must cancel 14 days prior to avoid $100 cancellation fee. Reservations cancelled after the 14 days will be charged the full rate for all nights.

TRANSPORTATION
San Francisco International Airport (SFO) 12.7 Miles/20-30 minute drive depending on traffic

INTERNATIONAL TRAVEL DETAILS
International Travelers should check their visa requirements with their local Embassy or Consulate.

We can provide standard letters from the ABA Section of Antitrust Law confirming the reason you or your guest wish to enter the country. To obtain a visa letter email at-registrar@americanbar.org with Visa Request In the subject line

- Detailed information is available on the U.S. State Department site at www.state.gov/travel.
- U.S. Customs and Border Patrol site at www.cbp.gov and TSA at www.tsa.gov
did you know

Cartel and Criminal Practice Committee
The Cartel & Criminal Practice Committee has the responsibility for monitoring the full range of practice issues arising in what is now referred to generally as “cartel enforcement” and “cartel defense.” This includes criminal enforcement of federal and state antitrust laws in the United States, the counterpart cartel enforcement activities of other jurisdictions, and parallel civil proceedings. The CCPC publishes three newsletters per year, reviewing developments on cartel and criminal practice related topics, and sponsors programs at the Spring Meeting and throughout the year. The CCPC is also very active in creating publications for the Section, including an update to the Handbook on Antitrust Grand Jury Investigations.

Committee Leadership

CO-CHAIRS
Brent J. Justus
Lindsey R. Vaala

VICE CHAIRS:
Jeremy Calsyn
Alan R. Dial
Kathryn Hellings
Jon B. Jacobs
Leslie W. Kostyshak
Beatriz Mejia
Susan A. Musser
Get Involved

JOIN A COMMITTEE
Antitrust Section Members can join any of the 29 committees at no additional cost. Meet Professionals who share your passion for a specialized area of law. Open the door to

• PUBLISHING, SPEAKING, AND OTHER
• CREDENTIAL-BUILDING COMMITTEE OPPORTUNITIES.

How to Join a Committee
1. Go the ambar.org/atjoincmte
2. Enter your ABA ID and password.
3. Check the committees you choose and click “Submit”

Committee Recommended Publications:
AVAILABLE ONLINE at americanbar.org/products

International Antitrust Cartel Handbook
(2019)

Model Jury Instructions in Criminal Antitrust Cases
(2009)

State Antitrust Enforcement Handbook
(3d ed. 2018)
Podcast of The Antitrust Law Section

Our Curious Amalgam

This podcast explores topics in antitrust, competition, consumer protection, data protection, and privacy law featuring global experts

LISTEN TO
Our Curious Amalgam

Point camera on QR Code to view our website

OurCuriousAmalgam.com
### DEADLINES

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<td>April 22-24, 2020</td>
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<td>June 4-5, 2020</td>
<td>Antitrust in Asia</td>
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Mark your calendar for other upcoming ABA Antitrust Law Section Conferences. Visit [www.americanbar.org/antitrust](http://www.americanbar.org/antitrust) for details.

Register online at [www.ambar.org/atcartel](http://www.ambar.org/atcartel) #atcartel