

TUESDAY, APRIL 10, 2018

1:00 – 8:00 PM

REGISTRATION OPEN

2nd Floor Mezzanine

Registration will be one level above the lobby. Badges will be required to access the conference meeting space. Individuals on conference floors without 2018 Spring Meeting badges will be billed accordingly.

3:30 – 5:00 PM

PATHWAYS TO LEADERSHIP

Presented by the Membership & Diversity Committee

Interested in becoming a leader in antitrust and consumer protection law? Seeking ways to enhance your career and grow professionally? Get tips and pointers from Section leaders as they share their pathways to success, including strategies for using Section membership to enhance and develop your career.

SESSION CHAIR/ MODERATOR:

Rani HABASH, Dechert LLP, Washington, DC

SPEAKERS:

- Daniel S. BLYNN, Venable LLP, Washington, DC
- Howard FELLER, McGuire Woods LLP, Richmond, VA
- Leslie C. OVERTON, Alston & Bird LLP, Washington, DC
- Melissa M. WHITEHEAD, Tach au Meek PLC, Louisville, KY

5:00 – 6:00 PM

YOUNG LAWYERS & LAW STUDENT HAPPY HOUR

Have you been practicing for fewer than 10 years? Are you a law student? Then pick up your Spring Meeting badge and join us as we kick off the start of the Spring Meeting. This is a great opportunity to meet other young lawyers, Section Officers, and the Leadership of the Membership & Diversity Committee.

5:00 – 8:00 PM

BOOKSTORE OPEN

5:30 – 7:00 PM

COCKTAILS FOR CONSUMER PROTECTION PARTY

Does your area of concentration include privacy law and/or consumer protection? Are you interested in learning more about this rising practice area? Even if you would just like to join us for a cocktail after you register, stop by and get to know more about this area of Section activity with our three CP committees. This is a great way to kick-off your Spring Meeting festivities.

6:00 – 7:00 PM

RECEPTION FOR INTERNATIONAL ENFORCERS

TICKETED EVENT

International enforcement officials are invited to a pre-conference reception with the Section Officers and Council to mingle and learn more about the Section. A ticket to attend will be included in the registration materials for all international enforcers registered for the Spring Meeting.

WEDNESDAY, APRIL 11, 2018

7:30 AM – 5:30 PM

BOOKSTORE & REGISTRATION OPEN

8:30 – 10:30 AM

ANTITRUST ETHICS ... AT THE MOVIES

ETHICS

Presented by the Compliance & Ethics Committee and International Cartel Task Force

Bring your popcorn. Movie clips, viral videos, and news feeds will be used to explore frequently encountered antitrust ethics issues, including protecting client confidences and data, conflicts of interest, defining and ending client relationships, attorney marketing rules, email communication, settlements, and more.

SESSION CHAIR/MODERATOR:

Douglas M. TWEEN, Linklaters LLP, New York, NY

SPEAKERS:

- Timothy HOWE, Competition Program Manager & Group Lead Lawyer, Cargill Inc., Minneapolis, MN
- Craig LEE, Baker McKenzie, Washington, DC
- Deidre E. MCEVOY-CAPPOCK, Lead U.S. Antitrust & Regulatory Counsel, Siemens Corporation, New York, NY
- Thomas MORGAN, George Washington University, Naples FL

9:00 – 10:30 AM

AGENCY UPDATE WITH THE U.S. DEPARTMENT OF JUSTICE

Presented by the Federal Civil Enforcement Committee

Spring Meeting would not be complete without hearing from the U.S. Department of Justice Antitrust Division Deputy Assistant Attorneys General about the latest in civil enforcement, cartel cases, and policy initiatives. With the change of administration, there will be many new faces and possibly new perspectives represented in this session.

SESSION CHAIR:

Shylah R. ALFONSO, Perkins Coie LLP, Seattle, WA

MODERATOR:

Deborah A. GARZA, Covington & Burling LLP, Washington, DC

SPEAKERS:

- Roger P. ALFORD, Deputy Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
- Andrew C. FINCH, Principal Deputy Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
- Luke M. FROEB, Deputy Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
- Donald G. KEMPF, Deputy Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
- Bernard A. NIGRO, Deputy Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
- Marvin N. PRICE, Acting Deputy Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC

WEDNESDAY, APRIL 11, 2018

9:00 – 10:30 AM

FUNDAMENTALS—CONSUMER PROTECTION

Presented by the Consumer Protection and Privacy & Information Security Committees

Learn the fundamentals of U.S. consumer protection law, including the basics of false and deceptive advertising, claim substantiation, marketing law, and privacy and data security. This session will also provide an introduction to federal, state, and private enforcement of consumer protection statutes and rules.

SESSION CHAIR/MODERATOR:

Ilunga L. KALALA, Kelley Drye & Warren LLP, Washington, DC

SPEAKERS:

- Joanna BOLTON, Legal Director, Dell Incorporated, Atlanta, GA
- Mark L. GLASSMAN, Attorney, Federal Trade Commission, Washington, DC
- Jon D. LEIBOWITZ, Davis Polk & Wardwell LLP, Washington, DC
- Shahin O. ROTHERMEL, Venable LLP, Washington, DC

9:00 – 10:30 AM

GDPR—PAIN POINTS AND ENFORCEMENT RISK

Presented by the Consumer Protection and Privacy & Information Security Committees

The General Data Protection Regulation, which becomes effective in May, is the most sweeping change to the data protection landscape in the past 20 years. Every organization that does business in the EU or with EU citizens is impacted and penalties for violations will be steep. This panel will discuss immediate steps companies should be taking to avoid becoming an easy enforcement target.

SESSION CHAIR/MODERATOR:

Dana B. ROSENFELD, Kelley Drye & Warren LLP, Washington, DC

SPEAKERS:

- Jan DHONT, Alston & Bird LLP, Brussels
- Maureen COONEY, Head of Privacy, Sprint Corporation, Reston, VA
- Maarten STASSEN, Crowell & Moring LLP, Brussels
- Thomas F. ZYCH, Thompson Hine LLP, Cleveland, OH

9:00 – 10:30 AM

INTERNATIONAL PERSPECTIVES: THE SHARING ECONOMY & DISRUPTIVE TECHNOLOGIES

Presented by the Consumer Protection, Media & Technology and Transportation & Energy Industries Committees

A fresh, global update on how innovative and disruptive technologies in diverse sectors, such as transportation and lodging, are dramatically reshaping the ways in which businesses compete and consumers engage in the economy. Can innovation be encouraged, while consumers are protected? What competition issues are raised? How should agencies respond?

SESSION CHAIR/MODERATOR:

Elizabeth F. KRAUS, Deputy Director for International Antitrust, Federal Trade Commission, Washington, DC

SPEAKERS:

- Roger FEATHERSTON, Commissioner, Australian Competition and Consumer Commission, Canberra
- Aaron D. HOAG, Chief of the Technology & Financial Services Section, U.S. Department of Justice, Antitrust Division, Washington, DC
- Gail F. LEVINE, Head of U.S. Regulatory Affairs, Uber Technologies Incorporated, Washington, DC
- Darrell L. WILLIAMS, Charles River Associates, Los Angeles, CA

9:00 – 10:30 AM

LINE DRAWING: APPLYING THE PER SE RULE

Presented by the Corporate Counseling, Federal Civil Enforcement, and Joint Conduct Committees

Is the line between per se illegal conduct and that governed by the rule of reason clear cut? How have new technologies and new ways of doing business muddied those waters? What is the current status of Section 1 enforcement and what trends are apparent?

SESSION CHAIR/MODERATOR:

Adam J. BIEGEL, Alston & Bird LLP, Washington, DC

SPEAKERS:

- Beau W. BUFFIER, Chief, Antitrust Bureau, Economic Justice Division Office of the Attorney General, New York, NY
- Fiona CARLIN, Baker McKenzie, Brussels
- Jonathan I. GLEKLEN, Arnold & Porter Kaye Scholer LLP, Washington, DC
- Shana WALLACE, Indiana University Maurer School of Law, Bloomington, IN

9:00 – 10:30 AM

MERGER MANIA

Presented by the Mergers & Acquisitions and State Enforcement Committees

Mergers, mergers everywhere. What happens when both state and federal antitrust enforcers are interested in reviewing my proposed transaction? How do I keep everyone happy without slowing down the process? Panelists will offer guidance and practical advice for dealing with confidentiality issues, the waiver process and coordinating an orderly review when dealing with multiple enforcers.

SESSION CHAIR/MODERATOR:

Lizabeth A. BRADY, Chief, Multistate Antitrust Enforcement, Antitrust Division, Office of the Attorney General, Tallahassee, FL

SPEAKERS:

- Beth A. FINNERTY, Assistant Section Chief, Antitrust Section, Office of Ohio Attorney General, Columbus, OH
- Ryan M. KANTOR, Assistant Chief, Healthcare and Consumer Products Section, U.S. Department of Justice, Antitrust Division, Washington, DC
- Mark D. SEIDMAN, Deputy Assistant Director, Mergers IV, Bureau of Competition, Federal Trade Commission, Washington, DC
- Robert B. WARK, Vice President & Deputy General Counsel, American Airlines, Dallas, TX

WEDNESDAY, APRIL 11, 2018

9:00 – 10:30 AM

MULTIPLE VIEWS ON TWO-SIDED MARKETS

Presented by the Insurance & Financial Services Committee

The AmEx decision has focused attention on two-sided markets. But what markets should be considered two-sided, and should courts balance the competitive effects in the two markets? If so, how should the multiple effects be weighed?

SESSION CHAIR/MODERATOR:

Gary W. KUBEK, Debevoise & Plimpton LLP, New York, NY

SPEAKERS:

- Nicholas S. ECONOMIDES, New York University Leonard N. Stern School of Business, New York, NY
- David S. EVANS, Global Economics Group, Boston, MA
- Patricia V. GALVAN, Deputy Assistant Director, Mergers III, Federal Trade Commission, Washington, DC
- MJ MOLTENBREY, Paul Hastings LLP, Washington, DC

9:00 – 10:30 AM

REVERSE PAYMENT SETTLEMENTS: EXPLAINING “LARGE AND UNEXPLAINED”

Presented by the Antitrust Magazine and Health Care & Pharmaceuticals Committee

In Actavis, the Supreme Court ruled that a “large and unexplained” payment from brands to generics may be evidence of anticompetitive conduct. This panel will examine post-Actavis lower-court decisions that have shed contradictory views, probing issues such as expected litigation costs, expected profits from continued sales, and the value of contemporaneous business transactions.

SESSION CHAIR/MODERATOR:

Lisa A. Jose FALES, Venable LLP, Washington, DC

SPEAKERS:

- C. Scott HEMPHILL, New York University School of Law, New York, NY
- John H. JOHNSON, Edgeworth Economics LLC, Washington DC
- Peter R. KOHN, Faruqi & Faruqi LLP, Jenkintown, PA
- Markus H. MEIER, Assistant Director, Bureau of Competition, Federal Trade Commission, Washington, DC
- Karen N. WALKER, Kirkland & Ellis LLP, Washington, DC

10:45 AM – NOON

BIG DATA: BIG DEAL OR NO DEAL?

Presented by the International Task Force and Media & Technology Committee

Amassing big data and using algorithms to process them has drawn the attention of global antitrust and consumer protection regulators—with differing views of the risks (even while some use it themselves, to detect anticompetitive behavior). This panel will discuss the interplay of relevant antitrust and consumer protection principles in the global context.

SESSION CHAIR:

Logan M. BREED, Hogan Lovells US LLP, Washington, DC

MODERATOR:

James R. MODRALL, Norton Rose Fulbright LLP, Brussels

SPEAKERS:

- Susan A. CREIGHTON, Wilson Sonsini Goodrich & Rosati PC, Washington, DC
- The Honorable Terrell P. MCSWEENEY, Commissioner, Federal Trade Commission, Washington, DC
- Cyril RITTER, Lawyer, European Commission, DG Competition, Brussels
- Nikhil SHANBHAG, Director, Competition and Telecommunications Law, Facebook, Palo Alto, CA

10:45 AM – NOON

EFFECTIVE ENGAGEMENT: WORKING WITH the GOVERNMENT

Presented by the Federal Civil Enforcement and Health Care & Pharmaceuticals Committees

This session will address practical issues that arise when approaching the government about a proposed transaction. The panelists will address what works and what doesn't when engaging with the government and provide tips and tools for sharing complex analyses and preparing clients for the investigatory process.

SESSION CHAIR/MODERATOR:

Sonia K. PFAFFENROTH, Arnold & Porter Kaye Scholer LLP, Washington, DC

SPEAKERS:

- Stephanie A. FLEMING, Assistant Chief, Defense, Industrials and Aerospace Section, U.S. Department of Justice, Antitrust Division, Washington, DC
- Kevin HAHM, Deputy Assistant Director, Mergers IV Division, Federal Trade Commission, Washington, DC
- Nicholas HILL, Bates White Economic Consulting, Washington, DC

10:45 AM – NOON

ETHICS IN MULTI-JURISDICTIONAL INVESTIGATIONS

ETHICS

Presented by the Cartel & Criminal Practice, Civil Practice & Procedure, and Compliance & Ethics Committees

What are the ethical obligations when conducting a multi-jurisdictional internal investigation? What issues arise when dealing with a company versus individuals? What issues could you face related to confidentiality and disclosure obligations? How do you manage different stakeholders? How do you navigate differences in privilege? What local rules should you keep in mind?

SESSION CHAIR/MODERATOR:

Tiffany RIDER, Skadden Arps Slate Meagher & Flom LLP, Washington, DC

SPEAKERS:

- D. Jarrett ARP, Gibson Dunn & Crutcher LLP, Washington, DC
- Megan DIXON, Hogan Lovells US LLP, San Francisco, CA
- Mark R. ROSMAN, Wilson Sonsini Goodrich & Rosati PC, Washington, DC
- John F. TERZAKEN, Simpson Thatcher & Bartlett LLP, Washington, DC

WEDNESDAY, APRIL 11, 2018

10:45 AM – NOON

EU GDPR: RIPPLES ACROSS THE ATLANTIC?

Presented by the Consumer Protection, International, and Privacy & Information Security Committees

This panel will examine the impact of the EU General Data Protection Regulation in the United States. How does the GDPR compare to U.S. privacy law? Will the GDPR affect the practices of U.S. businesses vis-à-vis U.S. consumers? Will the enhanced rights and prospect of reinvigorated EU enforcement affect how the FTC approaches privacy enforcement or have other impact on developments in U.S. law?

SESSION CHAIR/MODERATOR:

Janis C. KESTENBAUM, Perkins Coie LLP, Washington, DC

SPEAKERS:

- Julie S. BRILL, Corporate Vice President and Deputy General Counsel for Global Privacy & Regulatory Affairs, Microsoft Corporation, Redmond, WA
- James J. HALPERT, DLA Piper, Washington, DC
- Hugh G. STEVENSON, Deputy Director for Consumer Protection, Office of International Affairs, Federal Trade Commission, Washington, DC

10:45 AM – NOON

FAILING FIRM DEFENSE: SHOP 'TIL YOU DROP?

Presented by the Federal Civil Enforcement and Mergers & Acquisitions Committees

An anticompetitive deal is preferable to a failed firm. That is the policy underlying the failed firm defense. Given the insulating power of this affirmative defense, parties must meet a high bar to prove it. With recent transactions showing the success and failure of this defense, the panel will provide a variety of perspectives on how and when this defense could be successful.

SESSION CHAIR/MODERATOR:

Ian R. CONNER, Acting Deputy Director, Bureau of Competition, Federal Trade Commission, Washington, DC

SPEAKERS:

- Greg EASTMAN, Cornerstone Research, Washington, DC
- Julie S. ELMER, Trial Attorney, U.S. Department of Justice, Antitrust Division, Washington, DC
- Michael S. MCFALLS, Ropes & Gray LLP, Washington, DC
- Andrea MURINO, Goodwin Procter LLP, Washington, DC

10:45 AM – NOON

FUNDAMENTALS – ANTITRUST

Presented by the Intellectual Property Committee

Learn antitrust fundamentals from a panel of experienced practitioners with perspectives from government and private practice. This session is essential for less-experienced competition lawyers and anyone else who desires a refresher.

SESSION CHAIR/MODERATOR:

Jennifer K. SCHWAB, Attorney Advisor to Commissioner Terrell McSweeney, Federal Trade Commission, Washington, DC

SPEAKERS:

- Christopher B. HOCKETT, Davis Polk & Wardwell LLP, Menlo Park, CA
- Karen M. KAZMERZAK, Sidley Austin LLP, Washington, DC
- Eric MAHR, Washington, DC
- Brent C. SNYDER, Chief Executive Officer, Hong Kong Competition Commission, Hong Kong

10:45 AM – NOON

SINKING YOUR TEETH INTO NC DENTAL

Presented by the Compliance & Ethics, Exemptions & Immunities, and Joint Conduct Committees

Following the Supreme Court's decision in NC Dental, federal and state governments are exploring various options for how licensing boards conduct must be supervised. This panel will provide a multi-pronged perspective on the steps licensing board participants and states must take to remain compliant with federal antitrust laws and related legislation moving forward.

SESSION CHAIR/MODERATOR:

Patricia A. CONNERS, Chief Deputy, Office of the Attorney General, Tallahassee, FL

SPEAKERS:

- Sarah O. ALLEN, Senior Assistant Attorney General/Unit Manager, Office of the Attorney General, Richmond, VA
- Dale J. ATKINSON, Federation of Associations of Regulatory Boards (FARB), Northbrook, IL
- Jarod M. BONA, Bona Law PC, La Jolla, CA
- Tara I. KOSLOV, Acting Director, Office of Policy Planning, Federal Trade Commission, Washington, DC

10:45 AM – NOON

STAYING COMPLIANT AROUND THE GLOBE

Presented by the Compliance & Ethics Committee

Coping with divergent competition rules, enforcement regimes, and levels of legal risk pose significant challenges to global companies. The panel will be based on a hypothetical in which the moderator/client holds a global business meeting and proposes a series of business growth plans across several jurisdictions to a panel of regional compliance experts.

SESSION CHAIR/MODERATOR:

Anita BANICEVIC, Davis Ward Phillips & Vineberg, Toronto

SPEAKERS:

- Karan S. CHANDHIK, Chandhiok & Associates, New Delhi
- Michael G. EGGE, Latham & Watkins LLP, Washington, DC
- Michael HAN, Fangda Law, Beijing
- Stephen KINSELLA, Sidley Austin LLP, Brussels

WEDNESDAY, APRIL 11, 2018

10:45 AM – NOON

VIEWS FROM THE BENCH—NON-MERGERS

Presented by the Global Private Litigation and Unilateral Conduct Committees

Antitrust laws require fact finders to engage in heavily fact-specific balancing of the harms/benefits of often complex business practices. The difficulty of such balancing and risk of false positives has resulted in a proliferation of short-cut doctrines, including: per se rules, market share screens, standing and pleading requirements, and limits on permissible inferences from certain evidence. As a practical matter, how do Courts approach such cases and how does this compare to other laws that require a balancing test or determination of reasonableness? What can advocates do to more effectively present such cases before the Courts?

SESSION CHAIR/MODERATOR:

Ilene KNABLE GOTTS, Wachtell Lipton Rosen & Katz, New York, NY

SPEAKERS:

- The Honorable Katherine FORREST, U.S. District Judge, U.S. District Court for the Southern District of New York, New York, NY
- The Honorable Gene E.K. PRATTER, U.S. District Judge, U.S. District Court for the Eastern District of Pennsylvania, Philadelphia, PA
- The Honorable James V. SELNA, U.S. District Judge, U.S. District Court for the Central District of California, Santa Ana, CA
- The Honorable Claudia WILKEN, Senior Judge, U.S. District Court for the Northern District of California, Oakland, CA

Noon – 1:30 PM

THE SECTION LUNCHEON (TICKETS AVAILABLE FOR PURCHASE)

TICKETED EVENT

Join us for an introduction by Senator Amy KLOBUCHAR (D-Minn.), followed by a rousing discussion from a panel of competition all-stars on whether antitrust goals would be achieved more effectively, and whether income inequality would or should be addressed. Is there a need for significantly greater anti-merger enforcement?

SECTION CHAIR:

Jonathan M. JACOBSON, Wilson Sonsini Goodrich & Rosati PC, New York, NY

MODERATOR:

Stephen CALKINS, Wayne State University Law School, Northville, NY

SPEAKERS:

- Gene KIMMELMAN, Public Knowledge, Washington, DC
- Geoff MANNE, Executive Director, International Center of Law & Economics, Portland, OR
- Diana L. MOSS, President, American Antitrust Institute, Washington, DC
- Timothy J. MURIS, Sidley Austin LLP, Washington, DC

1:45 – 3:15 PM

ACPERA IN CIVIL CASES: THE COOPERATION CONUNDRUM

Presented by the Global Private Litigation and Trial Practice Committees

ACPERA offers substantial benefits to leniency recipients if they cooperate with the U.S. private plaintiffs. But various tensions create challenges here and abroad for parties, courts and prosecutors. Prosecutors and civil parties often disagree about when cooperation must commence and how much cooperation is required. Learn how to wrestle with the difficult choices ACPERA presents to litigants.

SESSION CHAIR/MODERATOR:

John ROBERTI, Allen & Overy LLP, Washington, DC

SPEAKERS:

- Roxann E. HENRY, Morrison & Forrester LLP, Washington, DC
- Amy B. MANNING, McGuireWoods LLP, Chicago, IL
- Bruce L. SIMON, Pearson Simon & Warshaw LLP, San Francisco, CA
- Bonny E. SWEENEY, Hausfeld LLP, San Francisco, CA

1:45 – 3:15 PM

AGENCY UPDATE WITH THE INTERNATIONAL ENFORCERS

Presented by the Federal Civil Enforcement and International Committees

Hear the latest in enforcement and policy from a cross-section of our international antitrust community.

SESSION CHAIR/MODERATOR:

Fiona A. SCHAEFFER, Milbank Tweed Hadley & McCloy, New York, NY

SPEAKERS:

- Lynda K. Marshall, Section Chief, Foreign Commerce Section, U.S. Department of Justice, Antitrust Division, Washington, DC
- Andreas MUNDT, President & Chair ICN, The Bundeskartellamt, Bonn
- Randolph W. TRITELL, Director, Office of International Affairs, Federal Trade Commission, Washington, DC
- Augustine PETER, Member, Competition Commission of India, New Delhi

1:45 – 3:15 PM

AN ETHICAL JOURNEY THROUGH E-DISCOVERY

DEBATE ETHICS

Presented by the Compliance & Ethics and Trial Practice Committees

The e-Discovery world is dynamic. What does the ever-changing world of e-Discovery mean for our ethical responsibilities in responding to discovery requests? Join our panel for a wide-ranging discussion of how to meet the ethical challenges that today's litigants face.

SESSION CHAIR/MODERATOR:

Charles C. MOORE, White & Case LLP, Washington, DC

SPEAKERS:

- Nathaniel HUBER-FLIFLET, Navigant Consulting Incorporated Washington, DC
- James J. PIZZIRUSSO, Hausfeld LLP, Washington, DC
- Katrina M. ROBSON, O'Melveny & Myers LLP, Washington, DC

WEDNESDAY, APRIL 11, 2018

1:45 – 3:15 PM

ANTITRUST & FRAND ENFORCEMENT

Presented by the Competition Torts, Intellectual Property, and Media & Technology Committees

Patent owners who contribute technology to collaborative standards often agree to license their technology on fair, reasonable and nondiscriminatory terms. However, parties may not always agree on the terms of a FRAND license. What legal options are available to standard-essential patent owners and firms utilizing their technology when negotiations reach an impasse?

SESSION CHAIR/MODERATOR:

Lisa KIMMEL, Crowell & Moring LLP, Washington, DC

SPEAKERS:

- Reiko AOKI, Commissioner, Japan Fair Trade Commission, Tokyo
- Nicholas BANASEVIC, Head of Unit, European Commission, DG Competition, Brussels
- James G. KRESS, Baker Botts LLP, Washington, DC
- Edith RAMIREZ, Hogan & Lovells US LLP, Washington, DC

1:45 – 3:15 PM

COLLEGE SPORTS—BEYOND PAY

Presented by the Trade, Sports & Professional Associations Committee

Panelists will discuss “then go beyond” the landmark O’Bannon and Jenkins cases to highlight how antitrust is only starting with its role in college sports. Among other things, an athlete’s education and ability to transfer will be discussed in this crucial debate among practitioners and collegiate athletics stakeholders.

SESSION CHAIR/MODERATOR:

Creighton J. MACY, Baker McKenzie, Washington, DC

SPEAKERS:

- Amadou KILKENNY-DIAW, Ruyak Cherian, Washington, DC
- Amy P. PERKO, Chief Executive Officer, Knight Commission on Intercollegiate Athletics, Fayetteville, NC
- Jon SOLOMON, Editorial Director, Aspen Institute Sports & Society Program, Washington, DC
- Lauren J. STIROH, NERA Economic Consulting, White Plains, NY

1:45 – 3:15 PM

DO EFFICIENCIES EVER OFFSET POTENTIALLY ANTICOMPETITIVE EFFECTS?

Presented by the Economics, Federal Civil Enforcement, and Mergers & Acquisitions Committees

Merger decisions, such as UPS/TNT in Europe or Anthem/Cigna and Staples/Office Depot in the US, appear to make an efficiencies defense for a merger almost unattainable before the agencies or in litigation. How much do they matter in an investigation? Is the burden higher than in monopolization and vertical restraints? Do courts and agencies consider them a synonym of “consumer welfare”?

SESSION CHAIR:

Gerald A. STEIN, Senior Attorney, Federal Trade Commission, New York, NY

MODERATOR:

Joshua D. WRIGHT, George Mason University Antonin Scalia Law School, Washington, DC

SPEAKERS:

- Jeffrey W. BRENNAN, McDermott Will & Emery LLP, Washington, DC
- David DRANOVE, Northwestern University, Kellogg School of Management, Evanston, IL
- W. Robert MAJURE, Director of Economics, U.S. Department of Justice, Antitrust Division, Washington, DC
- Margaret F. SANDERSON, Charles River Associates, Toronto

1:45 – 3:15 PM

NARROW-MINDED: THE CURRENT STATE OF MARKET DEFINITION

Presented by the Corporate Counseling, Federal Civil Enforcement, and Mergers & Acquisitions Committees

Recent merger challenges arguing price discrimination markets defined by a particular type of customer are no longer novel. Markets that parties may see as highly fragmented; the agencies may define more narrowly. What can merging parties do to better prepare to defend against narrowly defined markets for targeted customers and offer more compelling remedies?

SESSION CHAIR/MODERATOR:

Margaret A. WARD, Jones Day, Palo Alto, CA

SPEAKERS:

- Mary T. COLEMAN, Compass Lexecon LLC, Boston, MA
- Caroline E. LAISE, Assistant Chief, Transportation, Energy and Agriculture Section, U.S. Department of Justice, Antitrust Division, Washington, DC
- Juan RODRIGUEZ, Sullivan & Cromwell LLP, London
- Joshua H. SOVEN, Gibson Dunn & Crutcher LLP, Washington, DC

1:45 – 3:15 PM

PROTECTING CONSUMERS AND COMPETITION—INTERNATIONAL EMERGING TECHNOLOGIES

DEBATE

Presented by the Consumer Protection, International, and Media & Technology Committees

Regulatory frameworks on consumer protection and data privacy have advanced in recent years, but have they kept pace with the dynamic changes in emerging technologies? How does the use of data by FinTechs, digital platforms, and others impact the marketplace? Do regulators need to do anything different? If so, how should they respond?

SESSION CHAIR/SPEAKER:

Robert MAHINI, Senior Counsel, Google Incorporated, Washington, DC

MODERATOR:

Deon WOODS BELL, Senior International Attorney, Federal Trade Commission, Washington, DC

SPEAKERS:

- Winston MAXWELL, Hogan Lovells LLP, Paris
- Shaundra WATSON, Director, Policy, Business Software Alliance, Washington, DC
- Stephen Kai-yi WONG, Privacy Commissioner for Personal Data, Hong Kong

WEDNESDAY, APRIL 11, 2018

1:45 – 3:15 PM

VIEWS FROM THE TRENCHES: ANTHEM/CIGNA AND AETNA/HUMANA

Presented by the Health Care & Pharmaceuticals and Merger & Acquisitions Committees

Anthem and Aetna—two of the nation's largest health insurers—put antitrust principles to the test by proposing acquisitions that would change the competitive landscape in health care. This panel explores the most significant aspects of the Anthem/Cigna and Aetna/Humana merger decisions, including market definition, "litigating the fix," and the validity of countervailing power as a defense.

SESSION CHAIR/MODERATOR:

Douglas C. ROSS, Davis Wright Tremaine LLP, Seattle, WA

SPEAKERS:

- Melinda R. HATTON, General Counsel, American Hospital Association, Washington, DC
- Peter J. MUCCHETTI, Chief, Healthcare and Consumer Products, U.S. Department of Justice, Antitrust Division, Washington, DC
- Aviv NEVO, University of Pennsylvania, Philadelphia, PA
- Jonathan M. ORSZAG, Compass Lexecon LLC, Washington, DC

3:30 – 5:00 PM

AROUND THE WORLD SELF-REGULATION STYLE

Presented by the International Task Force and Advertising Disputes & Litigation, and Consumer Protection Committees

The International Council on Ad Self-Regulation (ICAS) established in October of 2016, and the Asia-Pacific Economic Cooperation (APEC) have made a significant impact on advertising self-regulation globally and in the U.S. Join the world's leaders of self-regulation to learn about how SROs approach new and important developments in advertising, including influencers, health claims, and more.

SESSION CHAIR:

Amy RALPH MUDGE, Venable LLP, Washington, DC

MODERATOR:

Terri J. SELIGMAN, Frankfurt Kurnit Klein & Selz PC, New York, NY

SPEAKERS:

- Laura BRETT, Director, National Advertising Division at the Better Business Bureau, New York, NY
- Fiona JOLLY, Vice President, Asia-Pacific, ICAS, CEO, Advertising Standards Australia, Braddon, ACT
- Jose Domingo GOMEZ CASTALLO, Director General, SRO AUTOCONTROL, Madrid
- Karla Avila JIMENEZ, Director General, CONAR Mexico, Mexico City

3:30 – 5:00 PM

COLLECTIVE REDRESS OUTSIDE THE UNITED STATES

Presented by the Global Private Litigation and International Committees

Follow-on civil actions have featured increasingly prominently in both first-world and developing countries. Key lessons learned and practical conundrums which the U.S. courts have grappled with over many decades provide meaningful guidance to practitioners, plaintiffs and defendants embroiled in collective redress cases in jurisdictions with less developed class-action precedent.

SESSION CHAIR:

Susan M. HUTTON, Stikeman Elliott LLP, Ottawa

MODERATOR:

John M. OXENHAM, Nortons Incorporated, Johannesburg

SPEAKERS:

- Michael D. HAUSFELD, Hausfeld, Washington, DC
- Jon LAWRENCE, Freshfields Bruckhaus Deringer LLP, London
- Peta STEVENSON, King & Wood Mallesons, Sydney

3:30 – 5:00 PM

DISTINCTIONS WITH DIFFERENCES: CANVASSING CROSS-JURISDICTIONAL ETHICS RULES

ETHICS

Presented by the Compliance & Ethics, Corporate Counseling, and International Committees

Both litigation and commercial transactions are commonly international, requiring navigation not only of local laws but also divergent ethical rules. Pitfalls and best practices for multi-jurisdictional privilege protection, gun jumping, joint-defense arrangements and information sharing will be addressed by our U.S., European, Canadian and Latin American legal ethics experts.

SESSION CHAIR/MODERATOR:

Deborah SALZBERGER, Blake Cassels & Graydon LLP, Toronto

SPEAKERS:

- Bruno DE LUCA DRAGO, Demarest Advogados, Sao Paulo
- Myles HANSEN, Chief Strategy, International Commercial & Antitrust Counsel, Monsanto, St. Louis, MO
- Wolfgang HECKENBERGER, Senior Competition Advisor, Siemens, Munich
- Ankur KAPOOR, Constantine Cannon LLP, New York, NY

3:30 – 5:00 PM

FUNDAMENTALS—ECONOMICS

Presented by the Economics Committee

Basic economic precepts are indispensable to effective antitrust arguments. Yet, economists' use of increasingly sophisticated theories and methodologies stretches the capacity of lawyers and courts to properly apply their conclusions. Four distinguished economists will discuss basic economic principles and the value to lawyers of keeping pace with the state-of-the-art economic thinking.

SESSION CHAIR/MODERATOR:

Laila HAIDER, Edgeworth Economics LLC, Washington, DC

SPEAKERS:

- Lona FOWDUR, Economists Incorporated, Washington, DC
- Martha S. SAMUELSON, Analysis Group, Boston, MA
- Tor WINSTON, Economist, U.S. Department of Justice, Antitrust Division, Washington, DC

WEDNESDAY, APRIL 11, 2018

3:30 – 5:00 PM

KIDS CONNECTED: IOT AND CHILDREN'S PRIVACY

Presented by the Consumer Protection and Privacy & Information Security Committees

From breaches, to eavesdropping, to location tracking, the newest connected devices—not only toys but also the home-based devices that kids use—leave children vulnerable to privacy violations. With Congressional and regulatory interest at an all-time high, this panel will explore how to build security and parental consent into “always on,” “always listening” products.

SESSION CHAIR/MODERATOR:

Phyllis H. MARCUS, Hunton & Williams LLP, Washington, DC

SPEAKERS:

- Dona J. FRASER, Director, Children's Advertising Review Unit of the Better Business Bureau, New York, NY
- Brian HUSEMAN, Vice President, Public Policy, Amazon, Washington, DC
- Maneesha MITHAL, Associate Director, Division of Privacy and Identity Protection, Federal Trade Commission, Washington, DC

3:30 – 5:00 PM

MERGERS: DEFINING AND LITIGATING RELEVANT MARKETS

Presented by the Civil Practice & Procedure, Federal Civil Enforcement, and Mergers & Acquisitions Committees

Market definition is the first step in any merger challenge and is perhaps the most important battleground in merger litigation. Practitioners and experts will discuss best practices relating to defining the relevant geographic and product markets, with a focus on market definition difficulties in innovation-intensive industries.

SESSION CHAIR/MODERATOR:

Paula W. RENDER, Jones Day, Chicago, IL

SPEAKERS:

- Joseph J. MATELIS, Sullivan & Cromwell LLP, Washington, DC
- Michael R. MOISEYEV, Assistant Director, Mergers I, Bureau of Competition, Federal Trade Commission, Washington, DC
- Richard G. PARKER, O'Melveny & Myers LLP, Washington, DC
- Christine SIEGWARTH MEYER, NERA Economic Consulting, New York, NY

3:30 – 5:00 PM

NEGOTIATING CARTEL FINES AND CIVIL SETTLEMENT

Presented by the Cartel & Criminal Practice Committee

What factors drive DOJ fines and civil settlement amounts in cartel cases? How is volume of commerce defined and quantified? Do “first-in” defendants always obtain lower fines, and does “first-in” status matter in civil settlement? What is the impact of cooperation? Is there a correlation between criminal fines and civil settlement amounts? Our panelists will provide varying views on these topics.

SESSION CHAIR/MODERATOR:

Adam C. HEMLOCK, Weil Gotshal & Manges LLP, New York, NY

SPEAKERS:

- Rosa M. ABRANTES-METZ, Global Economics Group, New York, NY
- Rachel J. ADCOX, Axinn Veltrop & Harkrider LLP, Washington, DC
- Jeffrey D. MARTINO, Chief, New York Office, U.S. Department of Justice, Antitrust Division, New York, NY
- Hollis SALZMAN, Robins Kaplan LLP, New York, NY

3:30 – 5:00 PM

PRICE-BOTS: ARE R2D2 AND C3PO TACITLY COLLUDING?

Presented by the Civil Practice & Procedure, Consumer Protection, and Distribution & Franchising Committees

A panel of litigators and academics will address the potential for antitrust liability from the use of price-bots and pricing algorithms and, along with the audience, will participate in an interactive pricing exercise.

SESSION CHAIR/MODERATOR:

Paul H. SAINT-ANTOINE, Drinker Biddle & Reath LLP, Philadelphia, PA

SPEAKERS:

- Ai DENG, Bates White Economic Consulting, Washington, DC
- Leslie C. ESPOSITO, DLA Piper, Philadelphia, PA
- Joshua S. GANS, The Brattle Group, Toronto
- Maurice E. STUCKE, University of Tennessee College of Law, Knoxville, TN

3:30 – 5:00 PM

PROTECTING BRAND & DISTRIBUTOR INVESTMENT ON THE INTERNET

Presented by the Distribution & Franchising Committee

The internet is becoming an increasingly complex distribution channel. How do you advise clients in this dynamic environment? What can manufacturers do about destructive and free-riding discounters? And do the traditional mechanisms, like MAP Plans and Colgate Plans, have a role? And what is the effect of the EU Coty Decision?

SESSION CHAIR/MODERATOR:

Melanie L. AITKEN, Bennett Jones (US) LLP, Washington, DC

SPEAKERS:

- Steven J. CERNAK, Schiff Hardin LLP, Ann Arbor, MI
- Margaret E. GUERIN-CALVERT, Compass Lexecon LLC, Washington, DC
- Christopher L. SAGERS, Cleveland-Marshall College of Law, Cleveland, OH
- Richard M. STEUER, Mayer Brown LLP, New York, NY

WEDNESDAY, APRIL 11, 2018

3:30 – 5:00 PM

SEP AND FRAND: ISSUES AROUND THE WORLD

Presented by the Antitrust Magazine, Exemptions & Immunities, Intellectual Property, and International Committees

Multiple jurisdictions have assessed the licensing (or non-licensing) of standard essential patents (SEPs) through the lens of their antitrust laws, including the U.S., the EU, China, Taiwan and Korea. Do we see convergence or divergence in the analysis? What role does “comity” play, if any? What key IP principles are implicated (e.g., the exhaustion doctrine)? What is the antitrust end game?

SESSION CHAIR/MODERATOR:

Hartmut SCHNEIDER, WilmerHale, Washington, DC

SPEAKERS:

- Yong Seok AHN, Lee & Ko, Seoul
- Alan HOFFMAN, Senior Group Antitrust Counsel, Nokia Corporation, Washington, DC
- Clara INGEN-HOUSZ, Linklaters LLP, Hong Kong
- Frances E. MARSHALL, Senior Counsel for Intellectual Property, U.S. Department of Justice, Antitrust Division, Washington, DC

5:00 – 6:00 PM

Welcome Reception @ The Marquis

Mix and mingle with Spring attendees at the opening reception. Your badge is your ticket to attend.

6:00 – 7:00 PM

PLAINTIFFS’ RECEPTION

TICKETED EVENT

Registered attorneys from the plaintiffs’ bar are invited to join their peers and the Global Private Litigation Committee members for an opportunity to network and discuss issues of common interest. A ticket to attend will be included in the registration materials for plaintiffs’ counsel and spring registrants registered for the Global Private Litigation Conference. Details will be emailed closer to the Spring Meeting.

THURSDAY, APRIL 12, 2018

7:30 AM – 5:30 PM

BOOKSTORE & REGISTRATION OPEN

8:30 – 10:00 AM

BIG IS BAD—OR IS IT?

Presented by the International Task Force and Unilateral Conduct Committees

A high-profile (and political) debate has arisen following recent studies purporting to find an increase in, and high levels of, concentration, allegedly demonstrating the failure of antitrust enforcement. Others claim methodological flaws in the studies and that the concentration paradigm has long been refuted. Join this panel for a debate of these issues and international implications.

SESSION CHAIR:

Gabrielle Z. KOHLMIEIER, Associate General Counsel, Verizon Communications Inc., Washington, DC

MODERATOR:

William M. KOVACIC, George Washington University Law School, Washington, DC

SPEAKERS:

- Kathleen A. FOOTE, Senior Assistant Attorney General, Office of the Attorney General, San Francisco, CA
- John E. KWOKA, Northeastern University, Boston, MA
- Howard SHELANSKI, Georgetown University Law Center, Washington, DC
- Tommaso VALLETTI, Chief Competition Economist, European Commission, DG Competition, Brussels

8:30 – 10:00 AM

BRIEFING WITH THE STATE ENFORCERS

Presented by the State Enforcement Committee

State Attorneys General play a crucial role in enforcing state and federal antitrust and consumer protection laws as sovereigns, parens patriae, and as purchasers. Join our panelists, who represent antitrust and consumer protection bureaus from across the country, as we discuss recent enforcement activities and the ongoing missions of state enforcement agencies.

SESSION CHAIR/MODERATOR:

Gwendolyn J. COOLEY, Assistant Attorney General, Office of the Attorney General, Madison, WI

SPEAKERS:

- Elizabeth ARTHUR, Assistant Attorney General, Office of the Attorney General, Washington, DC
- Paul MOORE, Deputy Attorney General, Office of the Attorney General, San Francisco, CA
- W. Joseph NIELSEN, Assistant Attorney General, Office of the Attorney General, Hartford, CT
- Matthew W. SAWCHAK, Solicitor General, Office of the Attorney General, Raleigh, NC

8:30 – 9:45 AM

INNOVATION AND MERGER CONTROL

Presented by the Corporate Counseling, Federal Civil Enforcement, and International Committees

Innovation is playing an increasingly important role in the analysis of mergers. It is seen by regulators as a key competitive parameter in a range of industries, including life sciences, high technology and agri-business. Its importance is likely only to increase given globalization, the pace of digital change and the complexity of modern markets.

SESSION CHAIR/MODERATOR:

Samantha H. KNOX, Associate General Counsel, Competition, Facebook, Menlo Park, CA

SPEAKERS:

- Patricia A. BRINK, Director of Civil Enforcement, U.S. Department of Justice, Antitrust Division, Washington, DC
- George S. CARY, Cleary Gottlieb Steen & Hamilton LLP, Washington, DC
- Eric R. EMCH, Bates White Economic Consulting, Washington, DC
- Carles ESTEVA MOSSO, Deputy Director General, European Commission, DG Competition, Brussels

THURSDAY, APRIL 12, 2018

8:30 – 10:00 AM

LAST YEAR TODAY: CONSUMER PROTECTION 2017

Presented by the Advertising Disputes & Litigation, Consumer Protection, and Privacy & Information Security Committees

2017 was full of important developments for regulators and self-regulators on cutting edge consumer protection enforcement issues, including native advertising, endorsements, consumer reviews used for claim substantiation, privacy and more. Hear from the people on the front lines on their enforcement priorities and initiatives.

SESSION CHAIR/SPEAKER:

Robert M. LANGER, Wiggan & Dana LLP, Hartford, CT

MODERATOR:

August T. HORVATH, Foley Hoag LLP, New York, NY

SPEAKERS:

- Lesley FAIR, Senior Attorney, Federal Trade Commission, Washington, DC
- Paul L. SINGER, Chief, Consumer Protection Division, Office of the Attorney General, Austin, TX
- Anahid M. UGURLAYAN, Assistant Director, Communications, National Advertising Division at the Better Business Bureau, New York, NY

8:30 – 10:00 AM

MOCK DAUBERT HEARING OF PLAINTIFF'S ECONOMIST

Presented by the Economics and Trial Practice Committees

It has become standard procedure to file a *Daubert* motion against the plaintiff's economist in an antitrust litigation. Even if partially successful, it can be devastating to the plaintiff's case. Join us for an exciting mock *Daubert* hearing before a Federal Judge, in which a plaintiff's economist will be questioned on direct and cross examination based on a created fact pattern.

SESSION CHAIR/MODERATOR:

David H. REICHENBERG, Wilson Sonsini Goodrich & Rosati PC, New York, NY

SPEAKERS:

- The Honorable Richard F. BOULWARE, II, U.S. District Judge, U.S. District Court for District of Nevada, Las Vegas, NV
- Amanda F. DAVIDOFF, Sullivan & Cromwell LLP, Washington, DC
- Daniel MATHESON, Senior Trial Counsel, Federal Trade Commission, Washington, DC
- Frederick R. WARREN-BOULTON, Navigant Economics, Washington, DC

8:30 – 10:00 AM

NET NEUTRALITY: DEJA VU OR A NEW ERA?

Presented by the Media & Technology Committee

Net Neutrality is hot news, again, with DOJ and FTC enforcement proposed as the salve to address broadband competition and privacy concerns. Hear a debate on critical issues including: Whether we need rule-based competition policy or if we can rely on traditional antitrust enforcement? Can or should DOJ and FTC enforcement address non-economic policy goals, like diversity of speech?

SESSION CHAIR/MODERATOR:

Scott A. SCHEELE, Chief, Telecommunications and Broadband Section, U.S. Department of Justice, Antitrust Division, Washington, DC

SPEAKERS:

- Joel MARCUS, Deputy General Counsel for Litigation, Office of the General Counsel, Federal Trade Commission, Washington, DC
- Jonathan E. NUECHTERLEIN, Sidley Austin LLP, Washington, DC
- Tim WU, Columbia University Law School, New York, NY
- Christopher S. YOO, University of Pennsylvania Law School, Philadelphia, PA

8:30 – 10:00 AM

RECENT DEVELOPMENTS IN GLOBAL CLASS ACTIONS

Presented by the Global Private Litigation Committee

Recent years have seen many important developments in two types of claims often found at the periphery of antitrust litigation: non-competes and trade secrets. Join this all-star panel for a lively discussion of how these claims may impact your next antitrust case!

SESSION CHAIR/MODERATOR:

Gregory P. HANSEL, Preti Flaherty Beliveau & Pachios LLP, Portland, ME

SPEAKERS:

- Najah FARLEY, Senior Staff Attorney, National Employment Law Project, New York, NY
- Thomas G. FUNKE, Osborne Clarke LLP, Köln
- Sathya S. GOSSELIN, Hausfeld, Washington, DC
- Katherine L. KAY Stikeman Elliott LLP, Toronto

8:30 – 10:00 AM

THE PRICE IS RIGHT: HOW TO KNOW

Presented by the Distribution & Franchising and Pricing Conduct Committees

Courts and regulators everywhere continue to wrestle with the analytic framework to apply to bundled pricing and loyalty discounts. What are the benefits of or justifications for this type of conduct? Should it be reviewed under tying, exclusive dealing, or predatory pricing law? Is there a place for a per se rule? How can companies safely set conditioned prices while the law is so uncertain?

SESSION CHAIR/MODERATOR:

Deena Jo SCHNEIDER, Schnader Harrison Segal & Lewis LLP, Philadelphia, PA

SPEAKERS:

- Jennifer D. HACKETT, Zelle LLP, Washington, DC
- James B. MUSGROVE, McMillan LLP, Toronto
- Chul PAK, Wilson Sonsini Goodrich & Rosati PC, New York, NY
- Michael D. WHINSTON, Massachusetts Institute of Technology Sloan School of Management, Cambridge, MA

THURSDAY, APRIL 12, 2018

10:15 AM – NOON

CHAIR'S SHOWCASE & LIFETIME ACHIEVEMENT AWARD

For decades, The Honorable Richard A. Posner has been a powerful force for antitrust thought and development. With his recent retirement from the U.S. Court of Appeals for the Seventh Circuit, this panel will explore his many and varied contributions to antitrust law and economics—ranging from issues of administration and administrability, to collusion and exclusion, remedies, and more.

AWARD:

Lifetime Achievement Award

SECTION CHAIR:

Jonathan M. JACOBSON, Wilson Sonsini Goodrich & Rosati PC, Washington, DC

SPEAKERS:

- Rebecca Haw ALLENSWORTH, Vanderbilt Law School, Nashville, TN
- Eleanor M. FOX, New York University School of Law, New York, NY
- The Honorable Douglas H. GINSBURG, Senior Circuit Judge, U.S. Court of Appeals, Washington, DC
- Keith N. HYLTON, Boston University School of Law, Boston, MA
- Steven C. SALOP, Georgetown University Law Center, Washington, DC

12:15 – 1:15 PM

LUNCHEON RECEPTION FOR IN-HOUSE COUNSEL

TICKETED EVENT

The Section Officers and Spring Meeting Co-chairs invite registered Spring Meeting in-house counsel to a luncheon reception. This is an opportunity to make connections and discuss issues of common interest with peers at other companies. A ticket to attend will be included in the registration materials for in-house counsel attending the Spring Meeting. Details will be emailed closer to the Spring Meeting.

1:30 – 3:00 PM

ANTITRUST/IP: THE BASICS

Presented by the Intellectual Property Committee

Understanding the oft-disputed terrain at the intersection of IP and antitrust can be daunting to the newly initiated. Our panelists will offer a basic primer to the IP laws, key doctrines governing litigation and enforcement matters in the antitrust/IP space, and an overview of the IP enforcement guidelines from the world's leading antitrust agencies.

SESSION CHAIR/MODERATOR:

Alexander P. OKULIAR, Orrick Herrington & Sutcliffe LLP, Washington, DC

SPEAKERS:

- Elizabeth M. BAILEY, NERA Economic Consulting, San Francisco, CA
- Michael A. CARRIER, Rutgers Law School, Camden, NJ
- J. Anthony CHAVEZ, Counsel, Exxon Mobil Corporation, Houston TX
- Greg SIVINSKI, Assistant General Counsel, Competition Law, Microsoft Corporation, Seattle, WA

1:30 – 3:00 PM

DIESELGATE-STRATEGIES FOR MULTI-JURISDICTIONAL CP INVESTIGATIONS

Presented by the Advertising Disputes & Litigation and Consumer Protection Committees

"Dieselgate" is a recent example of parties defending multi-jurisdictional consumer investigations, enforcement and class actions. What are practical strategies for defending multi-jurisdictional and frequently contemporaneous investigations, enforcement, and private litigation. Learn the differences and similarities between jurisdictions and tactical tips for navigating them.

SESSION CHAIR/MODERATOR:

Antonio DI DOMENICO, Fasken Martineau DuMoulin LLP, Toronto

SPEAKERS:

- Christopher A. COLE, Crowell & Moring LLP, Washington, DC
- James A. KOHM, Associate Director, Enforcement Division, Federal Trade Commission, Washington, DC
- Shari MULROONEY WOLLMAN, Manatt Phelps & Phillips LLP, Los Angeles, CA
- Veronica PINOTTI, White & Case LLP, Milan

1:30 – 3:00 PM

DOES CRIME PAY? CARTEL FINES AND DAMAGES

DEBATE

Presented by the Cartel & Criminal Practice, Civil Practice & Procedure, and Economics Committees

In cartel cases, plaintiffs and enforcers in Europe and the U.S. often claim overcharges or fines of 20% or more. Most cartel cases are settled with fines and damages not litigated, so published empirical work has been used in settlement negotiations to justify higher fines and private damages. U.S. and European economists and attorneys with substantially different opinion examine the reliability of these studies, and whether these penalties should deter cartels.

SESSION CHAIR/MODERATOR:

James LANGENFELD, Navigant Economics, Washington, DC

SPEAKERS:

- Cristina CAFFARRA, Charles River Associates, Brussels
- John M. CONNOR, Purdue University, West Lafayette, IN
- Niall E. LYNCH, Latham & Watkins LLP, San Francisco, CA
- Elizabeth PREWITT, Hughes Hubbard & Reed LLP, New York, NY

THURSDAY, APRIL 12, 2018

1:30 – 3:00 PM

PROCEEDINGS OF THE DOMINANCE DIVERGENCE TASK FORCE

Presented by the Dominance Divergence Task Force with the International and Unilateral Conduct Committees

Achieving convergence in unilateral conduct enforcement has been likened to climbing Mount Everest. Hear from the Dominance Divergence Task Force as it gears up to make the climb. Panelists will discuss reasons why the U.S., EU, Asia, and Latin America have taken different paths in the assessment of unilateral conduct, and whether differences can be reconciled or are likely to continue.

SESSION CHAIR/MODERATOR:

Hill B. WELLFORD, Morgan Lewis & Bockius LLP, Washington, DC

SPEAKERS:

- Julia HOLTZ, Senior Competition Counsel, Visa Incorporated, London
- Hwang LEE, Korea University School of Law, Seoul
- Timothy S. LONGMAN, Trial Attorney, U.S. Department of Justice, Antitrust Division, Washington, DC
- Theodore VOORHEES, Covington & Burling LLP, Washington, DC

1:30 – 3:00 PM

VIEWS FROM THE BENCH—MERGERS

Presented by the Federal Civil Enforcement, Mergers & Acquisitions, and Trial Practice Committees

Hear from the judges who have presided over some of the most challenging and rigorously contested merger cases in the past several years as they discuss lessons and observations from the bench.

SESSION CHAIR/MODERATOR:

Rebecca M. VALENTINE, Trial Attorney, Defense, Industrials and Aerospace, U.S. Department of Justice, Antitrust Division, Washington, DC

SPEAKERS:

- The Honorable John D. BATES, U.S. District Judge, U.S. District Court for the District of Columbia, Washington, DC
- The Honorable Amy Berman JACKSON, U.S. District Judge, U.S. District Court for the District of Columbia, Washington, DC
- The Honorable B. Lynn WINMILL, U.S. District Judge, U.S. District Court for the District of Idaho, Boise, ID

1:30 – 3:00 PM

WHOSE INTERNET IS IT ANYWAY?

Presented by the Consumer Protection, Privacy & Information Security, and State Enforcement Committees

There has been considerable change in FCC direction regarding net neutrality and privacy. These federal changes are not, however, the last word, as several states have jumped into the net neutrality and privacy debates in the ISP world. Join this distinguished panel as they debate the need for and means of regulation of ISPs.

SESSION CHAIR/MODERATOR:

David S. TURETSKY, University at Albany, College of Emergency Preparedness, Homeland Security and Cybersecurity, Albany, NY

SPEAKERS:

- William J. BAER, Arnold & Porter Kaye Scholer LLP, Washington, DC
- Gregory P. LUIB, Dechert LLP, Washington, DC
- Robert M. MCDOWELL, Cooley LLP, Washington, DC
- Gigi B. SOHN, Georgetown University Law Institute for Technology and Policy, Washington, DC

1:30 – 3:00 PM

YOU'RE HIRED? ANTITRUST AND EMPLOYMENT

Presented by the Federal Civil Enforcement and Media & Technology Committees

Recent cases involving workers reflect a growing interest in the application of antitrust laws to the employment area. At the same time, newly issued guidance from DOJ and FTC focuses on such practices as "naked" no-poaching or wage-fixing agreements. Why have the media and technology industries been focal points of antitrust concern over hiring and compensation?

SESSION CHAIR/SPEAKER:

Shelley J. WEBB, Associate General Counsel Intel Corporation, Santa Clara, CA

MODERATOR:

Alan DEVLIN, Latham & Watkins LLP, Washington, DC

SPEAKERS:

- David J. ERNST, Antitrust and Competition Law Senior Counsel, 3M, St. Paul, MN
- Caroline HOLLAND, Technology Policy Fellow, Mozilla Foundation, Washington, DC
- Joanna NEIDERMEYER, Senior Counsel, Global Antitrust and Trade Relations, The Procter & Gamble Company, Cincinnati, OH

THURSDAY, APRIL 12, 2018

1:30 – 5:00 PM

MOCK TRIAL

Presented by the Intellectual Property and Trial Practice Committees

The balance between antitrust and intellectual property has been actively litigated recently, with the government challenging a patent holder's licensing conduct. Come watch as two distinguished trial teams tackle some of these challenging issues and watch how a jury responds to them and the economics on which they often turn.

Part 1 of the Mock Trial will focus on the parties' opening statements; fact and expert witness presentations (both direct and cross-examination); and closing arguments

Break: 3:00pm – 3:15pm

Part 2 of the Mock Trial will focus on the jury instructions and deliberations; jury verdict; and an analysis of the verdict, including a question-and-answer session with the jury

SESSION CHAIR/MODERATOR:

William M. KATZ, Thompson & Knight LLP, Dallas, TX

PARTICIPANTS:

- Juan A. ARTEAGA, Crowell & Moring LLP, New York, NY
- Gil CALVILLO, Jury Consultant, Calvillo & Associates, Los Angeles, CA
- The Honorable Amit MEHTA, U.S. District Judge, U.S. District Court for the District of Columbia, Washington, DC
- Charles ESKRIDGE, Quinn Emanuel Urquhart & Sullivan LLP, Houston, TX
- Joseph J. MUELLER, WilmerHale, Boston, MA
- Laura SHORES, Arnold & Porter, Washington, DC
- Joanna TSAI, Charles River Associates, Washington, DC
- Lawrence WU, NERA Economic Consulting, San Francisco, CA

3:15 – 5:00 PM

ANTITRUST IN A TIME OF ECONOMIC POPULISM

Presented by the Intellectual Property, Legislation, and Media & Technology Committees

Antitrust is a hot political topic, stretching beyond the bounds of expert discourse at a time of economic frustration. Both major political parties focused on antitrust last year; members of Congress now call for change in the antitrust laws, with criticism of current antitrust doctrine coming from the left and right. Should we change the laws? Should antitrust enforcement evolve? How?

SESSION CHAIR/MODERATOR:

Hillary GREENE, University of Connecticut School of Law, Hartford, CT

SPEAKERS:

- Andrew I. GAVIL, Howard University School of Law, Washington, DC
- Barry C. LYNN, Executive Director, Open Markets Institute, Washington, DC
- Jonathan B. SALLET, Steptoe & Johnson LLP, Washington, DC
- Carl SHAPIRO, University of California Haas School of Business and Department of Economics, Berkeley, CA

3:15 – 5:00 PM

EXPLOITATIVE ABUSE: ILLEGAL TO CHARGE TOO MUCH?

Presented by the Federal Civil Enforcement, International, and Pricing Conduct Committees

Can a dominant firm violate competition laws if it charges excessive prices? The EC says "yes," but the U.S. says "no," so long as those prices are not the result of an illegally-gained market position. Which is correct? Why is the other wrong? Where is the rest of the world going?

SESSION CHAIR/MODERATOR:

Randall M. WEINSTEN, Attorney, Federal Trade Commission, Washington, DC

SPEAKERS:

- Thomas O. BARNETT, Covington & Burling LLP, Washington, DC
- Leah O. BRANNON, Cleary Gottlieb Steen & Hamilton LLP, Washington, DC
- Tal EYAL-BOGER, Fischer Behar Chen Well Orion & Co, Tel Aviv
- Bojana IGNJATOVIC, RBB Economics, London

3:15 – 5:00 PM

HOT TOPICS

Antitrust and consumer protection policy, enforcement, and litigation change every day with vital issues constantly surfacing. Take a quick look at how the past year has set the stage for the new of today and trends of tomorrow. Additional faculty will appear on the conference website as the date draws near.

SPRING CO-CHAIRS:

- Deborah L. FEINSTEIN, Arnold & Porter, Washington, DC
- Renata B. HESSE, Sullivan & Cromwell LLP, Washington, DC

SPEAKERS:

- Johannes LAITENBERGER, Director-General, European Commission, DG Competition, Brussels
- The Honorable Jon S. TIGAR, U.S. District Court, U.S. District of Northern California, San Francisco, CA

3:15 – 5:00 PM

INSIDE THE INTEL DECISION

Presented by the Intellectual Property, International, and Unilateral Conduct Committees

Panelists from Europe and the U.S. will analyze the European Court of Justice's Intel decision. The panel will discuss the implications of the ECJ's decision on the legal standards and economic analyses applicable to loyalty incentives, as well as procedural implications for future investigations by the European Commission.

SESSION CHAIR/MODERATOR:

Amanda P. REEVES, Latham & Watkins LLP, Washington, DC

SPEAKERS:

- Riccardo CELLI, O'Melveny & Myers LLP, Brussels
- John HAYES, Charles River Associates, Oakland, CA
- A. Douglas MELAMED, Stanford Law School, Stanford, CA
- Janusz A. ORDOVER, Compass Lexecon LLC, New York, NY

THURSDAY, APRIL 12, 2018

3:15 – 5:00 PM

IS CARTEL LENIENCY STILL WORTH IT?

Presented by the Cartel & Criminal Practice, Global Private Litigation, and International Committees

Leniency applicants complain of increasing burdens to qualify, huge civil exposure, questionable ACPERA benefits and uncertainty in international protection. But criminal exposure and the threat of prosecution still loom large. Experts will discuss whether the costs of leniency have started to outweigh the benefits.

SESSION CHAIR/MODERATOR:

J. Brent JUSTUS, McGuireWoods LLP, Washington, DC

SPEAKERS:

- Frank MONTAG, Freshfields Bruckhaus Deringer LLP, Brussels
- Lisa M. PHELAN, Chief, Washington Criminal Enforcement Section, U.S. Department of Justice, Antitrust Division, Washington, DC
- John M. TALADAY, Baker Botts LLP, Washington, DC
- Heather S. TEWKSBURY, WilmerHale, Palo Alto, CA

3:15 – 5:00 PM

NO HARM, NO FOUL? VALUING DATA BREACHES

Presented by the Consumer Protection, Privacy & Information Security, and State Enforcement Committees

Over the last 10 years there has been phenomenal growth in legislative and enforcement efforts regarding data security. This issue will only grow in significance with the coming explosion of non-financial personal data generated by the internet of things. This panel will discuss a key question involved with every data breach “how do you determine the harm or damages caused by the breach?”

SESSION CHAIR/MODERATOR:

Richard P. LAWSON, Manatt Phelps & Phillips LLP, New York, NY

SPEAKERS:

- Svetlana S. GANS, Chief of Staff, Federal Trade Commission, Washington, DC
- Randal M. SHAHEEN, Venable LLP, Washington, DC
- Abigail STEMPSON, National Association of Attorneys General, Washington, DC
- Ginger ZHE JIN, University of Maryland, College Park, MD

7:15 – 9:30 PM

SECTION DINNER (TICKETS AVAILABLE FOR PURCHASE)

TICKETED EVENT

M2-Salons 5 & 6

Enjoy dinner with actor and comedian JAY MOHR. An alumni of Saturday Night Live, Jay has continued success as an author and his national syndicated daily sport talk show—Jay Mohr Sports—prior to landing on the big stage of the ABA Antitrust Law Spring Meeting. Comedy Central named Mohr one of the greatest 100 stand-up comics of all times. Table and individual tickets are available for purchase.

FRIDAY, APRIL 13, 2018

7:30am – NOON

REGISTRATION OPEN

2nd Floor Mezzanine

7:30am – 12:30pm

BOOKSTORE

M4-Archives

8:30 – 9:45 AM

A GUIDE TO REMEDIES IN GLOBAL DEALS

Presented by the International and Mergers & Acquisitions Committees with the International Task Force

As the number of jurisdictions with strong merger control grows, negotiating remedies in global transactions can be challenging. Our expert panel will help you navigate practical issues such as achieving effective coordination among authorities, creating remedies that efficiently resolve all concerns including when they differ among jurisdictions, and dealing with different procedural rules.

SESSION CHAIR/MODERATOR:

Amadeu C. RIBEIRO, Mattos Filho Veiga Filho Marrey Jr. e Quiroga Advogados, New York, NY

SPEAKERS:

- Ninette DODOO, Freshfields Bruckhaus Deringer LLP, Beijing
- Dorothy B. FOUNTAIN, Chief Legal Advisor, U.S. Department of Justice, Antitrust Division, Washington, DC
- Sharis A. POZEN, Vice President of Global Competition and Antitrust, General Electric Company, Washington, DC
- Annette SCHILD, Antitrust Law Schild, Brussels

8:30 – 9:45 AM

AGENCY UPDATE WITH THE FTC BUREAU DIRECTORS

Presented by the Federal Civil Enforcement Committee

The annual session where you hear directly from the Federal Trade Commission Directors of the Bureau of Competition, Bureau of Consumer Protection, and Bureau of Economics about the latest in antitrust and consumer protection enforcement and policy initiatives. With the change of administration, these names will be updated online.

SESSION CHAIR:

Carla A.R. HINE, Kirkland & Ellis LLP, Washington, DC

MODERATOR:

Brian R. HENRY, The Coca-Cola Company, Atlanta, GA

SPEAKERS:

- D. Bruce HOFFMAN, Acting Director, Bureau of Competition, Federal Trade Commission, Washington, DC
- Thomas B. PAHL, Acting Director, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC
- Michael G. VITA, Acting Director, Bureau of Economics, Federal Trade Commission, Washington, DC

FRIDAY, APRIL 13, 2018

8:30 – 9:45 AM

INTERNATIONAL CARTELS—ARE THEY BEING OVERDETERRED?

Presented by the Cartel & Criminal Practice Committee and the International Cartel Task Force

Do cumulative fines imposed by multiple jurisdictions lead to excessive cartel penalties, impede competition and deter legitimate business operations as well as hard core collusion? What can cartel enforcers do to better coordinate fines and harmonize their deterrence policies? What about “negative comity” agreements and agency forbearance? Come and get the inside scoop.

SESSION CHAIR/MODERATOR:

Thomas MUELLER, WilmerHale, Washington, DC

SPEAKERS:

- Cynthia E. RICHMAN, Gibson Dunn & Crutcher LLP, Washington, DC
- Michelle RINDONE, Acting Director of Criminal Enforcement, U.S. Department of Justice, Antitrust Division, Washington, DC
- Mariana TAVARES DE ARAUJO, Levy & Salomao, Rio de Janeiro

8:30 – 9:45 AM

MOCK TRIAL—MOTION TO DISMISS HACKING SUIT

Presented by the Advertising Disputes & Litigation, Consumer Protection, and Privacy & Information Security Committees

At the 2017 Hackers in Hoodies Conference, researchers showed how electronic, video doorbells could be hacked. The following Monday, a plaintiff representing national and state classes of doorbell owners sued, arguing their doorbells are rendered unsafe. Is there standing? Come see leading litigants argue both sides of a motion to dismiss before a federal judge.

SESSION CHAIR/MODERATOR:

Nicole L. WILLIAMS, Thompson & Knight LLP, Dallas, TX

SPEAKERS:

- Stuart COCHRAN, Steckler Gresham Cochran, Dallas, TX
- The Honorable Susan ILLSTON, Senior U.S. District Judge, U.S. District Court for the Northern District of California, San Francisco, CA
- Jeffrey JACOBSON, Kelley Drye & Warren LLP, New York, NY

8:30 – 9:45 AM

PRICING ABCS: MAPS, UPPS AND MFNS

Presented by the Agricultural & Food, Corporate Counseling, and Pricing Conduct Committees

This program will explore the intersection of antitrust law and pricing policies across jurisdictions, with a particular focus on in-house counsel's role in advising clients. Hear from experienced practitioners about counseling clients on the legal contours of various pricing strategies, including minimum advertised price programs, unilateral pricing policies, and most favored nations clauses.

SESSION CHAIR/MODERATOR:

Sanford M. PASTROFF, Senior Counsel, Antitrust & Strategic Litigation, Whirlpool Corporation, Benton Harbor, MI

SPEAKERS:

- Forrest TREAT, Senior Attorney, Competition Law Group, Microsoft, Redmond, WA
- Suzanne WACHSSTOCK, VP & Chief Antitrust Counsel, American Express, New York, NY
- Mark D. WHITENER, Washington, DC
- Eugene F. ZELEK, Taft Stettinius & Hollister LLP, Chicago, IL

8:30 – 9:45 AM

WHEN IS MARKET MANIPULATION ANTICOMPETITIVE?

Presented by the Civil Practice & Procedure and Corporate Counseling Committees

Several recent cases contribute to a nascent jurisprudence on the reach of the antitrust laws over market manipulation (including Aluminum, Brent, Libor, and Merced). We will consider whether unilateral manipulation gives rise to abuse of market power, how to assess antitrust injury, whether coordinated manipulation satisfies Section 1, and the relevance of intent in litigating and deciding cases.

SESSION CHAIR/MODERATOR:

Elai E. KATZ, Cahill Gordon & Reindel LLP, New York, NY

SPEAKERS:

- Daniel L. BROCKETT, Quinn Emanuel Urquhart & Sullivan LLP, New York, NY
- The Honorable P. Kevin CASTEL, U.S. District Judge, U.S. District Court for the Southern District of New York, New York, NY
- Aitan D. GOELMAN, Zuckerman Spaeder LLP, Washington, DC
- Wendy H. WASZMER, Wilson Sonsini Goodrich & Rosati PC, New York, NY

10:00 AM – NOON

ENFORCERS ROUNDTABLE

Please join us for an in-depth conversation with leading competition authorities about their enforcement priorities and the transactions, investigations, and cases that are making headlines this year. The Enforcers Roundtable is always a concluding highlight of the Spring Meeting. Don't miss it!

SECTION CHAIR:

Jonathan M. JACOBSON, Wilson Sonsini Goodrich & Rosati PC, New York, NY

QUESTIONERS:

- Deborah L. FEINSTEIN, Arnold & Porter, Washington, DC
- Gary P. ZANFAGNA, Associate General Counsel and Chief Antitrust Counsel, Honeywell International, Inc., Morris Plains, NJ

SPEAKERS:

- Andrea COSCELLI, Chief Executive, Competition & Markets Authority, London
- The Honorable Makan DELRAHIM, Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
- Victor J. DOMEN, Chair, Multistate Antitrust Task Force, National Association of Attorneys General, Nashville, TN
- The Honorable Maureen K. OHLHAUSEN, Acting Chairman, Federal Trade Commission, Washington, DC
- Margrethe VESTAGER, Commissioner for Competition, European Commission, Brussels