

**American Bar Association
Section of Antitrust Law
Mergers & Acquisitions Committee**

Presents:

**Vertical Merger Enforcement Practice and Theory
Recent Developments from the United States and European Commission
Enforcement Agencies**

Date: May 12, 2008
Time: 12:00 pm - 1:30 pm
Location: Call-in only

Recent developments with regard to vertical merger enforcement in both the United States and Europe suggest a potential divergence between the two jurisdictions, and raise questions regarding the standards of enforcement for mergers involving vertical foreclosure issues.

What is the current thinking for vertical merger enforcement, and how should a counselor counsel her clients and present vertical merger issues to the U.S. agencies and the European Commission? This panel will discuss a number of important issues, including, the Department of Justice's consent order in *Monsanto / Delta and Pine Land Company* and the European Commission's decisions to extend review of the *Nokia / Navteq* and *TomTom / TeleAtlas* mergers (while at the same time, the Department of Justice cleared both transactions within the initial 30-day HSR waiting period). In addition, the panelists will discuss the U.S. Department of Justice's 1984 Non-Horizontal Merger Guidelines, their continued relevance in merger enforcement, and the differences between U.S. policy and EC policy, as reflected in the European Commission's new Non-Horizontal Merger Guidelines, published last year.

Please join our panel of experts, including representatives from both Europe and the United States, for a lively discussion of vertical merger enforcement on both sides of the Atlantic.

PANELISTS: **Becket McGrath** - Berwin Leighton & Pasiner (London, UK)
MJ Moltenbrey - Freshfields Bruckhaus Deringer (Washington, DC)
Ramsey Shehadeh - NERA (New York)
Dana Wagner - Google, Inc. (Mountain View, CA)

MODERATOR: **Scott Sher** - Wilson Sonsini Goodrich & Rosati (Washington, DC)

To RSVP, please e-mail Jacki Proscia at jproscia@wsgr.com. A dial-in number for the program will be sent to you in advance at the e-mail address provided. If you have any questions, please contact Diane Odom at (312) 988-5702 (odomd@staff.abanet.org).

Recordings of this Brown Bag will be posted on the Section's Web site in the Members Only area and will be downloadable in MP3 format, free of charge, at <http://www.abanet.org/antitrust/at-bb/bb-audio.shtml>