

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

**and**

**Canadian Bar Association  
Competition Law Section  
Mergers Committee**

**Jointly Present**

**Post-Closing Review of Mergers:  
Recent Developments in the United States and Canada**

Date: April 23, 2008  
Time: 12:00 pm - 1:30 pm EDT  
Location: Call-in only (U.S.)  
(Canadian location TBA)

Recent developments in both the United States and Canada emphatically reaffirm that consummating a merger does not confer immunity from further antitrust review. In the U.S., the Fifth Circuit very recently upheld the FTC's *Chicago Bridge & Iron* decision, ruling a 2001 merger unlawful and requiring the spin-off of a new competitor. In the *Whole Foods* case, the FTC continues to litigate, despite consummation of the merger following the district court's refusal to issue a preliminary injunction and the DC Circuit's denial of an injunction pending appeal. In Canada, the Federal Court of Appeal very recently affirmed a Competition Tribunal decision declining to delay for 30 days Labatt's acquisition of Lakeport, in large part because it ruled that the Tribunal had the ability to impose sufficient post-closing remedies in the event the merger was ultimately found anticompetitive. Please join our panel of experts, including representatives of competition authorities in both Canada and the United States, for a lively discussion of the current post-closing merger enforcement environment and the risks and strategy choices faced by practitioners.

PANELISTS: **Patricia A. Brink** – Deputy Director, Office of Operations, DOJ  
Antitrust Division  
**Elai Katz** – Partner, Cahill Gordon & Reindel LLP, New York  
**Melanie Aitken** – Senior Deputy Commissioner of Competition (Mergers),  
Canadian Competition Bureau  
**Denis Gascon** – Partner, Ogilvy Renault LLP, Montreal

MODERATOR: **Paul B. Hewitt** – Partner, Akin Gump Strauss Hauer & Feld LLP,  
Washington, DC

To RSVP, please e-mail Cynthia Simpson at [csimpson@akingump.com](mailto:csimpson@akingump.com). A dial-in number, as well as information on the Canadian “live” location, will be sent to you at the e-mail address provided. If you have any questions, please contact Diane Odom at (312) 988-5702 ([odomd@staff.abanet.org](mailto: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>