

# CONFERENCE AGENDA

THURSDAY, NOVEMBER 18, 2004

**8:45-9:00am**

## WELCOME REMARKS

**Richard J. Wallis**, Microsoft Corporation, Chair, Section of Antitrust Law, Redmond, WA  
**Janet L. McDavid**, Hogan & Hartson, LLP, Washington, DC

**9:00-9:30am**

## POLICY ADDRESS

**The Honorable Deborah Platt Majoras**, Chairman, Federal Trade Commission, Washington, DC

**9:30-11:00am**

**MERGER PANEL: Review of mergers recently investigated and issues likely to arise in the future, with particular emphasis on challenges of mergers involving non-reportable transactions and consummated deals; hospital merger retrospectives; approach to price increases and efficiencies; cross-jurisdiction mergers, new theories and approaches in merger review, and likely new areas of activity.**

*Moderator:*

**Joseph G. Krauss**, Hogan & Hartson, LLP, Washington, DC

*Panel:*

**Thomas O. Barnett**, Deputy Assistant Attorney General, Antitrust Division,  
U.S. Department of Justice, Washington, DC

**Rachel Brandenburger**, Freshfields Bruckhaus Deringer, Brussels, Belgium

**Ilene Knable Gotts**, Wachtell Lipton Rosen & Katz, New York, NY

**Bernard A. Nigro Jr.**, Deputy Director, Bureau of Competition, Federal Trade Commission,  
Washington, DC

**Phillip A. Proger**, Jones Day, Washington, DC

**11:00-11:10am**

**BREAK**

**11:10am-12:10pm**

**REMEDIES AND MAJOR PROCESS CHANGES: Review of major developments in divestiture and remedies at the agencies in both merger and non-merger matters; remedies reviewed and imposed by courts in both government and private litigation, novel "fixes," changes in process and procedures, and expected future developments.**

*Moderator:*

**Donna E. Patterson**, Arnold & Porter, Washington, DC

*Panel:*

**D. Bruce Hoffman**, Deputy Director, Bureau of Competition, Federal Trade Commission,  
Washington, DC

**J. Robert Kramer**, Director of Operations, Antitrust Division, U.S. Department of Justice,  
Washington, DC

**Richard M. Steuer**, Mayer Brown Rowe & Maw LLP, New York, NY

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THURSDAY, NOVEMBER 18, 2004

**12:15-1:00pm**

**LUNCHEON**

**1:00-1:45pm**

**LUNCHEON ADDRESS**

**Philip Lowe**, Director General Competition, European Commission, Brussels, Belgium

**1:45-3:15pm**

**ECONOMICS PANEL:** Review of key developments in economic theories and applications during recent years, including application of unilateral and coordinated effects analysis in merger review as well as litigation, empirical and econometric modeling at agencies and before the courts, evaluation of post-merger efficiencies, competitive effects, and “official” retrospectives. What are the likely implications for future guidelines or areas of development at the agencies? Review of similarities and differences among agencies.

*Moderator:*

**Steven C. Salop**, Charles River Associates, Washington, DC

*Panel:*

**Mary T. Coleman**, LECCG, Washington, DC

**Luke M. Froeb**, Director, Bureau of Economics, Federal Trade Commission, Washington, DC

**David Sibley**, Deputy Assistant Attorney General, Antitrust Division,

U.S. Department of Justice, Washington, DC

**Robert Willig**, Princeton University, Princeton, NJ

**3:15-3:25pm**

**BREAK**

**3:25-5:00pm**

**INTERNATIONAL PANEL:** Key developments in international antitrust policy in recent years; efforts in cross-border coordination, and the International Competition Network; and expected future developments.

*Moderator:*

**William Blumenthal**, King & Spalding LLP, Washington, DC

*Panel:*

**Makan Delrahim**, Deputy Assistant Attorney General, Antitrust Division,

U.S. Department of Justice, Washington, DC

**William E. Kovacic**, General Counsel, Federal Trade Commission, Washington, DC

**Philip Lowe**, Director General Competition, European Commission, Brussels, Belgium

**Chris Martin**, Assistant Deputy Commissioner, Competition Bureau, Quebec, Canada

# CONFERENCE AGENDA

FRIDAY, NOVEMBER 19, 2004

**9:00-9:15am**

## WELCOME

**Richard J. Wallis**, Microsoft Corporation, Chair, Section of Antitrust Law, Redmond, WA  
**Margaret E. Guerin-Calvert**, Competition Policy Associates, Washington, DC

**9:15-9:45am**

## POLICY ADDRESS

**Thomas O. Barnett**, Deputy Assistant Attorney General, Antitrust Division,  
U.S. Department of Justice, Washington, DC

**9:45-11:00am**

**CONDUCT/CIVIL NON-MERGER PANEL:** Review of major trends in conduct cases investigated and challenged (e.g., monopolization, predatory and exclusionary practices); new developments in theories; review of conduct challenged during recent years (e.g., Microsoft, Visa/MasterCard, American Airlines, Unocal, Three Tenors, On-line Music and Movies, Dentsply, Rambus, and Coca-Cola) and implications for future matters; similarities and differences in approaches across jurisdictions; expected trends in bundling, predation and vertical cases.

### *Moderator:*

**Robert F. Pitofsky**, Georgetown University Law Center, Washington, DC

### *Panel:*

**Susan Creighton**, Director, Bureau of Competition, Federal Trade Commission, Washington, DC

**Deborah A. Garza**, Fried Frank, Washington, DC

**Stephen Kinsella**, Herbert Smith, Brussels, Belgium

**J. Bruce McDonald**, Deputy Assistant Attorney General, Antitrust Division,  
U.S. Department of Justice, Washington, DC

**A. Douglas Melamed**, Wilmer Cutler Pickering Hale & Dorr, Washington, DC

**11:00am-12:30pm**

**CARTELS/CRIMINAL ENFORCEMENT:** Review of litigation, amnesty/leniency programs, plea agreements/settlements, enforcement trends in cartel cases, including coordination among agencies; role of private litigation (treble damages); and issues involving foreign plaintiffs.

### *Moderator:*

**Donald C. Klawiter**, Morgan Lewis & Bockius LLP, Washington, DC

### *Panel:*

**Roxann E. Henry**, Howrey Simon Arnold & White, Washington, DC

**D. Martin Low**, McMillan Binch LLP, Ontario, Canada

**Ann Olek**, Antitrust Division, U S Department of Justice, Washington, DC

**12:30**

## CLOSING REMARKS

**Richard J. Wallis**, Microsoft Corporation, Chair, Section of Antitrust Law, Redmond, WA