

ABA SECTION OF ANTITRUST LAW

FALL
FORUM:
LOOKING
BACK AND
FORWARD

NATIONAL
PRESS CLUB

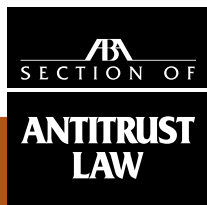
NOVEMBER 18-19, 2004

Washington, DC

CO-CHAIRS:

MARGARET E. GUERIN-CALVERT

JANET L. McDAVID



WELCOME

Dear Colleagues:

We are very pleased to invite you to attend the 2004 Fall Forum, the Antitrust Section's annual policy program. The timing of the Fall Forum in mid-November - just after the 2004 national elections in the US and following on the appointment of a new Commissioner responsible for EU competition policy — lends a unique opportunity for the Fall Forum to provide a retrospective on enforcement and other major developments in antitrust policy over the past several years, and a look forward to likely enforcement policies and key areas of potential change both in the US and the EU.

The program is very comprehensive, with policy addresses by the Assistant Attorney General in charge of the Justice Department Antitrust Division, the Chairman of the Federal Trade Commission, and the European Commission's Competition Director General, as well as panels on key topics in US and international antitrust policy. As you will see from reviewing the program and panels, each panel has outstanding speakers, including senior enforcement officials from US and foreign agencies, leading private practitioners, prominent economists, and academics. With policy addresses and panels covering civil merger and non-merger (conduct) matters, criminal enforcement, cutting edge economic theories and applications, and international topics, the program is designed to provide you the opportunity to participate in the full spectrum of recent and expected future developments in antitrust policy.

We are very excited about the opportunity for us all to meet in Washington DC to participate in this Fall Forum. We look forward to seeing you.

Margaret E. Guerin-Calvert
Janet L. McDavid
Co-Chairs

Richard J. Wallis
Chair, Section of Antitrust Law

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

CONFERENCE AGENDA

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

REGISTRATION INFORMATION

ADVANCE REGISTRATIONS

Your registration fee includes CLE, course materials, all sessions, breaks and the Thursday luncheon.

Please complete the attached registration form and return to the ABA with payment no later than **Friday, October 29, 2004**. Registrations must include payment to be processed. You are encouraged to register early, as attendance is limited. Registration fees will automatically be adjusted if the incorrect amount is submitted. Advance registrations received with payment by **Friday, October 29, 2004** will appear in the participant roster located on www.abanet.org/antitrust. Please bring your confirmation to the registration desk and pick up your badge and course materials.

GROUP DISCOUNTS

Multiple attendees from a single firm or corporation will receive a 33% discount beginning with the second attendee. To receive the discounted fee, registrations must be received as a group, with a single payment for all registrations no later than **Friday, October 15, 2004**. Group discounts only apply if they are sent in by **Friday, October 15, 2004**. The discount for multiple attendees does not apply to government or academic registrants.

CONFIRMATIONS

ABA members registering online will receive an electronic confirmation within one hour.

Non-ABA members or those registering via mail, will receive a detailed confirmation within 10 days after their registration is received and processed (provided complete information and appropriate payment was submitted) Please be advised that incomplete or incorrect information will delay the processing of registration forms.

If you have not received your confirmation after 10 days of submitting the form, please contact the Meetings and Marketing Coordinator at 312.988.5609. Please allow the estimated time given for confirmations prior to calling the Section to see if your registration has been received.

ON-SITE REGISTRATION

On-site registration is available pending space availability. Course materials cannot be guaranteed for those registering after the cut-off date. If necessary, course materials will be mailed after the conference to those who registered after the cut-off.

REGISTRATION INFORMATION

CANCELLATION

Cancellations and refund requests must be submitted **IN WRITING** to the American Bar Association, Section of Antitrust Law on or before **October 29, 2004**. Refund requests will **ONLY BE ACCEPTED IN WRITING**. 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 **October 29, 2004**. There will be no refunds granted after **October 29, 2004**. Cancellations should be faxed to the attention of Esther Martinson at 312.988.5637. Please allow 8 to 10 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.

SUBSTITUTIONS

Written requests for substitutions will be permitted prior to the conference and on-site at no additional cost. Please submit a request on firm letterhead to transfer the registration. Once the registration is substituted, it will not revert back to the original registrant. The substitute will only be eligible for CLE credit. The substitute and original registrant must work out the payment amongst themselves.

JOIN THE ABA SECTION OF ANTITRUST LAW

The Fall Forum is one of the many educational conferences and networking opportunities that the Section of Antitrust Law offers our members throughout the year. As a Section of Antitrust Law member, you will have access to many benefits such as:

- First rate CLE conferences and publications.
- Free subscription to the Antitrust Magazine
- Networking opportunities via listservs, committees and conferences.

Save \$\$ If you are a member of the ABA and would like to join the Section of Antitrust Law, you may register for this and other Section conferences at the Section member rate. Details for joining are on the registration form.

GENERAL INFORMATION

AMERICAN WITH DISABILITIES ACT & SPECIAL DIETARY NEEDS

Participants with special needs for facilities, visual or audio aids, or dietary requirements are asked to contact Angelica Spyles at spyresa@staff.abanet.org, so that appropriate arrangements can be made.

CONFERENCE CHANGES

We work very hard to assemble a top-notch, cohesive, educational conference. Unfortunately, and despite our best efforts, the faculty and conference scheduling can result in unanticipated or last minute changes. For an up-to-date listing of conferences and speakers, log on to the Section of Antitrust Law website at www.abanet.org/antitrust.

NATIONAL PRESS CLUB

CLE programming will take place at the National Press Club. The National Press Club has been a part of Washington life for more than 90 years. Its members have included 17 consecutive Presidents of the United States. Most have spoken from the Club's podium, some to declare their candidacies for the highest office in the land. A gathering place for thousands of journalists, newsmakers and dignitaries, the National Press Club is the oldest social and professional media organization in the United States.

National Press Club
529 14th Street NW
Washington, DC 20054
Phone: 202.662.7500
www.press.org

HOTEL

A block of rooms has been reserved for conference attendees and speakers at the JW Marriott in Washington, DC. Please contact the hotel directly to book your hotel reservation (reference the ABA, Section of Antitrust Law room block) and for specific information regarding additional charges.

After October 22, 2004 or when the room block is sold out, guest rooms at the ABA rate are not guaranteed and may not be available.

Single - \$209 + tax Double - \$209 + tax

* All hotel rates are subject to applicable tax of 14.5%.

The JW Marriott is located on Pennsylvania Avenue's Federal corridor, just blocks away from the White House, it offers a celebrated address near the convention Center, Capitol Hill, the monuments and museums, renowned restaurants and cultural venues.

JW Marroitt Hotel
1331 Pennsylvania Avenue NW
Washington, DC 20004
Ph: 202.393.2000
Fax: 202.626.6991
www.marriotthotels.com/wasjw

MCLE CREDIT

Required sponsor documentation has been forwarded to and credit requested from MCLE states with general requirements for all lawyers. Lawyers seeking credit in Pennsylvania must pay a fee of \$1.50 per credit hour directly to PA CLE Board. The ABA pays applicable fees in other states where the sponsor is required to do so. In states where a late fee may become applicable, the ABA pays this fee as well. Please be aware that each state has its own rules and regulations, including its definition of 'CLE' as well as 'Ethics'. Therefore, certain conferences may not receive credit in some states.

GENERAL INFORMATION

Please check with your state agency for confirmation of general as well as ethics approval for any conference. You may want to contact the ABA Service Center at 800.285.2221 or the Center for CLE at 312.988.6217 2 weeks before the conference for confirmation of the number of credits approved by any particular state.

MESSAGES

Messages for conference attendees should be phoned directly to the registration desk at 202.662.1230 and will be posted on a bulletin board as they are received. Messages will not be delivered into the meeting rooms. Please remember to check the bulletin board located near the registration desk. It is the individual's responsibility to check the board for messages.

TAPE RECORDING

No audio recording or videotaping of any part of the conference will be permitted.

TRAVEL INFORMATION

AIR

The National Press Club and the JW Marriott hotel are conveniently located near three major area airports. All airlines offer a full range of domestic and international flights.

- National/Reagan is 6 miles/approximately 10 minutes away
- Washington DC/Dulles is 22 miles/approximately 30 minutes away
- Baltimore/Washington Intl is 32 miles/approximately 45 minutes away

TAXI CABS

Washington DC, Virginia and Maryland taxi cabs are available at the exits of each terminal. Dispatchers are available at the exits to assist passengers.

METRORAIL (www.wmata.com)

The metroraill and metrobus provide the safest, cleanest and most efficient public transportation when getting around Washington DC and the metropolitan suburbs.

Please make your airline reservations on the newly launched ABA Online Travel site where you automatically receive ABA airfare discounts from a variety of carriers and can view and purchase other low fare options including web fares. ABA Online Travel can be accessed from the navigation bar on the left of the ABA website home page. It takes only a few moments to establish a username and password allowing you to immediately book your reservations. With ABA Online Travel you have the option of charging your airline tickets directly to your personal credit card. ABA Online Travel provides you with a quick and easy way for obtaining the most cost effective airline reservations. Visit <http://wcp.getthere.net/abaonlinetravel> or www.abanet.org.

Reservations can also be made with the ABA travel agent, Carla Sutton, who can provide ABA airfare discounts. Carla can be contacted via email at Carla.Sutton@towertravel.com or by phone at 312.988.5862.

ABA Discounted Meeting Airfares are available through your travel agent or directly from the airline. Following are the ABA discount codes under which your reservations need to be purchased in order to receive either the ABA percentage discount or zone fare.

American Airlines	ABA Code: 16666	800.433.1790
Delta Air Lines	ABA Code: 189419A	800.241.6760
US Airways	ABA Code: 36632473	877.874.7687

ABA members are entitled to special discounts by calling our premier provider, Hertz-Rent-A-Car, at 800.654.3131. Identify yourself as an ABA member to receive the discounted rate.

MARK YOUR CALENDAR

To learn more about Section conferences, visit www.abanet.org/antitrust

September 30 - October 3, 2004

Antitrust Masters Course II

Reynolds Plantation
Greensboro, GA

May 12-13, 2005

Healthcare Conference

Hotel Monaco
Washington, DC

Jan 24-25, 2005

International Conference

Ritz-Carlton South Beach
Miami, FL

June 9-10, 2005

Antitrust and Intellectual Property

Claremont Resort and Spa
Berkeley, CA

March 30-April 1, 2005

The Spring Meeting

JW Marriott
Washington, DC

PLACE YOUR ORDER FOR CD-ROMS AND COURSE MATERIALS

	Price:	Qty:	Amt:
Fall Forum: Looking Back and Forward			
Course Book PC# 5030444	\$75	_____	\$ _____
CD-ROM PC# 5030446	\$75	_____	\$ _____
Antitrust Masters Course II			
Course Book PC# 5030443	\$75	_____	\$ _____
Antitrust and Intellectual Property			
The Courts, The Enforcers, Business World			
Course Book PC# 45030420	\$75	_____	\$ _____
CD-ROM PC# 45030420CD	\$75	_____	\$ _____
2004 Spring Course Materials			
Course Book PC# 5030425	\$150	_____	\$ _____
	Subtotal:		\$ _____
Shipping & Handling:	\$5.95		\$5.95
Tax (IL residents 8.75%, DC 6% and IN 5%)			\$ _____
	TOTAL:		\$ _____

Publication Orders:

American Bar Association
P.O. Box 10892
Chicago, IL 60610-0892

Phone: 1.800.285.2221 Fax: 312.988.5568

(If ordering by phone, please reference the PC# when placing your order.)

CONFERENCE REGISTRATION

FALL FORUM: LOOKING BACK AND FORWARD, NOVEMBER 18-19, 2004
NATIONAL PRESS CLUB, 529 14TH STREET NW, WASHINGTON, DC

			Qty:	Amt:
	BY 10/15	AFTER 10/15		
Antitrust Law Section Member	\$675	\$775	_____	\$ _____
Non-Section Member	\$775	\$875	_____	\$ _____
Govt/Academic Section Member	\$150	\$250	_____	\$ _____
Govt/Academic Non-Section Member	\$250	\$350	_____	\$ _____
Law Students	N/C	N/C	_____	\$ _____

(Limited space available for law students. Please call 312.988.5550 on October 29, 2004)

LUNCHEON ADMITTANCE FOR THURSDAY, NOVEMBER 18, 2004

- I will attend the Thursday Luncheon (attendees only)
 Please contact Angelica Spyres at spyresa@staff.abanet.org
 or 312.988.5792 with any special dietary needs. **\$N/A**
- I am a member of the ABA and wish to join the Section of Antitrust Law for \$50.00. \$ _____
- REGISTRATION TOTAL** \$ _____

Please Print
 ABA Number:

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(Your ABA# is required to receive the Section Member rate. Your # is 8-digits and begins with a zero)
 Name:

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Title:

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Firm/Agency/School:

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Telephone

Fax:

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- Enclosed check (make payable to the American Bar Association.) Payment must accompany the registration form. Payments will not be taken over the phone.

American Bar Association, Esther Brewer-Martinson, Section of Antitrust Law
 321 N. North Clark St., Chicago, IL 60610



CREDIT CARD REGISTRATIONS SHOULD BE MADE ONLINE AT:
<http://www.abanet.org/antitrust/programs/mtgfall04.html>



Questions?
 Please call 312.988.5609



**AMERICAN BAR ASSOCIATION • SECTION OF ANTITRUST LAW
321 NORTH CLARK STREET • CHICAGO, ILLINOIS 60610**

ONLINE REGISTRATION

www.abanet.org/antitrust

Online registration is available for your convenience. ABA members will receive an electronic confirmation within one hour. Non-ABA members will receive confirmation within 10-days of receipt.

IMPORTANT DEADLINES

Housing:	Early Bird Registration Group Discount:	Advance Registration:
October 22, 2004	October 15, 2004	October 29, 2004

IMPORTANT PHONE/FAX NUMBERS ANTITRUST LAW

National Press Club 529 14th Street NW Washington, DC 20005 Phone: 202.662.7500 www.press.org	JW Marriott Hotel 1331 Pennsylvania Avenue NW Washington, DC 20004 Phone: 202.393.2000 Fax: 202.626.6991 www.marriott-hotels.com/wasjw
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Registrants are encouraged to make their hotel reservations with the JW Marriott. Please go to:
<http://www.abanet.org/antitrust/mtgfall04.html>

MESSAGES

The Section of Antitrust Law message center telephone number will be 202.662.1230. Messages for registrants will be posted as they are received on a bulletin board near the registration desk.

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