



Cordially Invites You to a
Virtual Conference

A New Outlook ANTITRUST & COMPETITION IN KEY INDUSTRY SEGMENTS:

Robust Enforcement Activity Ahead
by Federal Agencies, Congress, States, U.K., EU

“U.S. Lawmakers introduce sweeping antitrust legislation aimed at Big Tech, the most ambitious update to monopoly laws in decades.”

The New York Times, 6/11/21

Thursday, July 15, 2021

9:30 a.m. –2:00 p.m. EDT

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*25 FACULTY Featuring Authoritative Government Panel
from DOJ, FTC, Congress, States, UK, EU and Private Bar Panel of Top Law Firm
Partners, Corporate Counsel, Advisors*

FACULTY

Faculty from the Government:

Nicholas Banasevic

Head of Unit, Directorate-General for Competition,
European Commission, Brussels

Sarah Cardell

General Counsel, *Competition and Market
Authority*, London

Patricia V. Galvan

Assistant Director – Technology Enforcement
Division, Bureau of Competition, *FTC*, Washington,
D.C.

Aaron Hoag

Chief – Technology and Digital Platforms Section,
Antitrust Division, *U.S. Department of Justice*,
Washington, D.C.

Marc Lanoue

Counsel Detailee to Subcommittee on Antitrust,
Competition, Policy and Consumer Rights, *United
States Senate*, Washington, D.C.

Guillaume Lorient

Deputy Director-General, Directorate-General for
Competition, *European Commission*, Brussels

Kathleen O’Neill

Senior Director, Investigations and Litigation,
Antitrust Division, *U.S. Department of Justice*,
Washington, D.C.

Mark Seidman

Assistant Director – Mergers IV Division, Bureau of
Competition, *FTC* Washington, D.C.

Co-Moderators:

Andrew C. Finch

Former Acting Assistant Attorney General – Antitrust Division, *U.S. Department of Justice*; Partner & Co-Chair – Antitrust Group, *Paul, Weiss, Rifkind, Wharton & Garrison LLP*, New York

Renata B. Hesse

Former Assistant Attorney General – Antitrust Division, *U.S. Department of Justice*; Partner, Co-Head, Antitrust Group, *Sullivan & Cromwell LLP*, Washington, D.C.

D. Bruce Hoffman

Former Director, Bureau of Competition, *FTC*; Partner, *Cleary Gottlieb Steen & Hamilton LLP*, Washington, D.C.

Robert J. Levinson

Vice President, *Charles River Associates*, Washington, D.C.

Other Panelists--Law Firm Partners, Corporate Counsel, Advisors

Kyle Andeer

Vice President, Corporate Law & Chief Compliance Officer, *Apple*, San Francisco

Leah Brannon

Partner, *Cleary Gottlieb*, Washington, D.C.

Jamília Ferris

Partner, Antitrust and Competition, *Wilson Sonsini*, Washington, D.C.

Andre Geverola

Partner, *Arnold & Porter Kaye Scholer LLP*, Chicago

William A. Isaacson

Partner, *Paul, Weiss, Rifkind, Wharton & Garrison LLP*, Washington, D.C.

Preston McAfee

Distinguished Scientist, *Google*, Mountain View, California

Elizabeth Prewitt

Partner, Litigation and Trial Department, Member, Global Antitrust & Competition Practice, *Latham & Watkins LLP*, New York

Daniel Roffman

Vice President, *Charles River Associates*, Washington, D.C.

Michael Rosenthal

Partner; Founder, Brussels Office, Co-Head, Antitrust Group, *Sullivan & Cromwell LLP*, Brussels

Michael Salinger

Jacqueline and Arthur Bahr Professor of Markets, Public Policy, and Law, Questrom School of Business, *Boston University*; Former Director, Bureau of Economics, *FTC*; Senior Academic Advisor, *Charles River Associates*, Boston

Melissa Scanlan

Vice President, IP & Antitrust, *T-Mobile*, Bellevue, Washington

Howard Shelanski

Partner, *Davis Polk & Wardwell LLP*; Professor of Law, *Georgetown University*, Washington D.C.

Erin Toomey

Senior Director, Antitrust and Competition Practice Group, *Epiq*, Washington, D.C.

Aggressive Enforcement Ahead

Momentum is building for stronger antitrust enforcement across key industry segments in the economy beyond large tech companies including pharmaceutical, health care, financial services, telecomm. At a time of heightened mergers and acquisition activity, legal counsel need to be prepared to deal with issues related to pricing, market power and concentration and concerns about personal data usage, privacy, and other non-pricing components of competition, All aspects of cases need to be reexamined from preparation to presentation to settlement.

A Super Star Faculty

This briefing features a *super-star cast* of front line players in the antitrust and competition field who will examine the current trends and recent developments to give registrants an “inside view” of what to expect in the months and year ahead. They will suggest how to reset your strategies and approach to address the changing landscape. The government panel representing different agencies--DOJ, FTC, Congress, States, EU, UK--will offer perspectives and insights on their priorities and plans.

The program is divided into four segments: mergers, conduct, regulation/legislation, criminal litigation.

Program Topics

9:30 a.m. – 2:00 p.m.

MERGERS: Have antitrust enforcers been asleep at the switch, permitting consolidation that has harmed consumers and competition? This session will look at the current state of merger enforcement across a variety of industries, and try to answer some of the pressing questions of the day. Are the current tools that the enforcement agencies have available to them sufficient? Do we need to rethink remedies? Should privacy data issues play a more significant role in how enforcers evaluate mergers? What about ESG?

CONDUCT: Exclusionary conduct, vertical restraints and other unilateral actions of business firms may reduce the intensity of competition, subjecting consumers and other affected parties to higher prices or other anticompetitive effects. Agreements among suppliers may have like consequences. While the public is most focused today on the alleged conduct of large technology firms, these concerns arise in many industries. The Conduct panel will bring together experts in antitrust law and economics to assess and explain when alleged anticompetitive conduct is likely to be illegal or socially harmful, and when instead the accused conduct in fact should be viewed as competitive rather than anticompetitive behavior.

REGULATION/LEGISLATION: As competition and antitrust enforcement and issues have captured political and popular attention, calls for action have evolved beyond seeking more aggressive enforcement of existing laws to proposals for new regulation and legislation. Our panel will consider these new proposed—and enacted—laws, regulations, and rules in the U.S., the U.K., and the E.U., including the justifications for these new, codified approaches to competition law, the scope of authority to proceed by legislation or regulation, and the pros and cons of this new path.

CRIMINAL LITIGATION: In recent years, the Antitrust Division has opened criminal investigations and filed charges in key industry segments including labor markets, health care, and public procurement. Panelists will examine whether recent enforcement in these and other sectors signals broader changes and will offer practical takeaways for practitioners on assessing risk, preventing antitrust crimes, and addressing potential issues when they arise. The panel will also explore the Antitrust Division's approach to evaluating and crediting compliance programs and how its 2019 policy change is playing out in practice.

CLE and CPE credit has been applied for.

Questions? E-mail: BrettVerbist@sandpiperpartners.com or Phone: 973.278.8800

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About the Premier Sponsor:

CRA is a global leader in the economic analysis of mergers and antitrust litigation cases, having pioneered theoretical and empirical advancements that have become standard practice used by competition economists and enforcement agencies around the world. Our US, Canada, UK, and European Union-based antitrust economists have the economic knowledge, jurisdiction-specific expertise, and geographic presence required to efficiently support clients worldwide.

CRA's Forensic Services Practice was recently honored in the National Law Journal's "Best of 2020" for being one of the top three Forensic Accounting Providers in the country, and by Global Investigations Review as one of ten forensic practices from around the world for handling sophisticated investigations. The Practice helps clients and their counsel get to truth when allegations arise of fraud, misconduct, cybercrime and non-compliance — including allegations of bid-rigging, price-fixing, and other anti-competitive behaviors.

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