



SCHEDULE OF EVENTS AS OF JANUARY 27

(ALL TIMES: EASTERN TIME ZONE)

A FULL LIST OF FIRESIDE CHATS WILL BE POSTED IN MARCH

TUESDAY, MARCH 28

3:00-8:00 PM

REGISTRATION

Registration will be one level above the lobby. Badges and Covid Health form will be required to access the conference meeting space. Individuals on conference floors without 2023 Spring Meeting badges will be billed for Spring attendance.

3:30-5:00 PM

PATHWAYS TO LEADERSHIP

M1: GEORGETOWN

*Presented by the Diversity, Advanced, and Membership Committees and Young Lawyers Task Force
This session is non-CLE*

Interested in becoming a leader in antitrust and consumer protection law? Seeking ways to enhance your career and grow professionally? Get tips and pointers from Section leaders as they share their pathways to success, including strategies for using Section membership to enhance and develop your career.

SESSION CHAIR/MODERATOR

Gary ZANFAGNA, Paul Hastings LLP, Washington, DC

SPEAKERS

- Kellie KEMP, Senior Competition Counsel, Uber Technologies, Washington, DC
- Kavita PILLAI, Covington & Burling LLP, Washington, DC
- Andrea RIVERS, Axinn Veltrop & Harkrider LLP, New York, NY
- Estefania TORRES PAEZ, Wilson Sonsini Goodrich & Rosati, Washington, DC

5:00-6:00 PM

YOUNG PROFESSIONALS' HAPPY HOUR (NETWORKING FUNCTION)

M1: GEORGETOWN

Have you been practicing for fewer than 10 years? Are you an economist or law student? Then pick up your Spring Meeting badge and join the Antitrust Law Section Officers as we kick off the start of the Spring Meeting. This is a great opportunity to meet other young economists/lawyers, the Leadership of the Membership and Diversity, Advanced Committees, and the Young Lawyers Task Force.

5:30-7:00 PM

COCKTAILS FOR CONSUMER PROTECTION PARTY (NETWORKING FUNCTION)

MEZZANINE

Does your area of concentration include privacy law and/or consumer protection? Are you interested in learning more about this rising practice area? Even if you would just like to join us for a cocktail after you register, stop by and get to know more about this area of Section activity with our three CP committees. This is a great way to kick off your Spring Meeting festivities.

6:00-7:00 PM

RECEPTION FOR INTERNATIONAL ENFORCERS (NETWORKING FUNCTION)

International enforcement officials are invited to a pre-conference reception with the Antitrust Law Section Officers and Council to mingle and learn more about the Section. A ticket to attend will be included in the registration materials for all international enforcers registered for the Spring Meeting.

WEDNESDAY, MARCH 29

7:00AM-5:30 PM

REGISTRATION OPEN--MEZZANINE

CLE SIGN-IN--M1: HOWARD

7:30AM-5:30 PM

BOOKSTORE & COFFEESHOP OPEN--M4: ARCHIVES

7:30-8:45 AM

COFFEE CONVERSATIONS

Please drop by the M-level lounges prior to the start of the day as we engage with thought leaders in informal (non-CLE) dialogues to include diversity and inclusion as well as career development. Additional details will be provided closer to the Spring Meeting on the online agenda.

7:30-8:00am

1. FRIENDS OF BILL--M3: CHINATOWN



8:00-8:45AM

- 1. CAREER CONVERSATIONS--M4: SUPREME COURT**
- 2. DIVERSITY DIALOGUES--M1: GEORGETOWN**

8:15-10:15 AM

ETHICS CLE SESSION

CULTIVATING AN ETHICAL MINDSET

M2: SALONS 7&8

Presented by the Compliance & Ethics Committee

Certain ethics issues are questions of mindset, not just following strict "Dos" or "Don'ts." Issues like balancing competing professional duties, interacting with adversaries and co-counsel, and even changing workplaces raise nuanced ethical questions. This panel will discuss how to approach dilemmas raised by knotty hypotheticals, depending on your role (private bar, in-house, or government).

SESSION CHAIR/MODERATOR

Eduardo PÉREZ MOTTA, SAI Consultores SC, Mexico City

SPEAKERS

- Aimee DEFILIPPO, Jones Day, Washington, DC
- John EICHLIN, Linklaters LLP, New York, NY
- Juan Pablo GOMEZ FIERRO, Second District Judge in Administrative Matters Specialized in Economic Competition, Broadcasting and Telecommunications, Mexico City
- Ken NEWMAN, Associate General Counsel & Assistant Secretary, The Walt Disney Company, New York, NY

9:00-10:15 AM

CONCURRENT CLE SESSIONS

1

AGENCY UPDATE WITH THE U.S. DEPARTMENT OF JUSTICE, ANTITRUST DIVISION

M4: SALONS I-P

Presented by the Federal Civil Enforcement Committee

Hear from DOJ Deputy Assistant Attorneys General to learn the latest in civil enforcement, cartel cases, and policy initiatives.

SESSION CHAIR/MODERATOR

Fiona A. SCHAEFFER, Milbank LLP, New York, NY

SPEAKERS

- Hetal J. DOSHI, Acting Deputy Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
- Andrew J. FORMAN, Deputy Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
- Maggie GOODLANDER, Deputy Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
- Michael B. KADES, Deputy Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC

2

DARK PATTERNS - NUDGING FROM HELP TO HARM? (CONSUMER PROTECTION TRACK) (INTERNATIONAL TRACK)

M4: CAPITOL/CONGRESS

Presented by the Consumer Protection, International, and Privacy & Information Security Committees

Dark patterns have been defined as tricks used in websites and apps designed to encourage consumers to take unintended actions, such as subscriptions and purchases. What are dark patterns and what is the state of the law? When does a marketing practice become "dark"? What can we learn from how other jurisdictions have grappled with these questions?

SESSION CHAIR/MODERATOR

Lauren B. ARONSON, Amin Talati Wasserman LLP, Washington, DC

SPEAKERS

- Mary ENGLE, Executive Vice President, Policy, BBB National Programs, New York, NY
- Steven HERSCOVICI, The Brattle Group, Washington, DC
- Malini MITHAL, Associate Director, Financial Practices, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC
- Randi W. SINGER, Weil Gotshal & Manges LLP, New York, NY

3

FUNDAMENTALS-CONSUMER PROTECTION (CONSUMER PROTECTION TRACK)

M3: SHAW|LEDROIT

Presented by the Consumer Protection Committee

Representing a variety of perspectives, this session will provide an introduction to consumer protection law, including privacy, data security, and advertising and marketing law.

SESSION CHAIR/MODERATOR

Antonio DI DOMENICO, Fasken, Toronto, ONT

SPEAKERS

- Bilal SAYYED, Tech Freedom, Washington, DC
- Michael SHERLING, Attorney, Federal Trade Commission, Washington, DC
- Abigail STEMPSON, Kelley Drye & Warren LLP, Washington, DC
- Anahid M. UGURLAYAN, Assistant Director, BBB National Programs, National Advertising Division, New York, NY



4

LENIENCY AND PRIVATE LITIGATION: FRIENDS OR FOES? (INTERNATIONAL TRACK)

M4: SALONS A-D

Presented by the Global Private Litigation and International Comments & Policy Committees

As global follow-on damages actions are revving up, enforcers report that leniency applications are falling in multiple jurisdictions. Could the efforts to compensate victims be undermining efforts to uncover the cartels causing that harm? Which factors play a role? Our panel will debate incentives, strategies and proposals in the search for optimal public and private enforcement.

SESSION CHAIR/MODERATOR

John M. TALADAY, Baker Botts LLP, Washington, DC

SPEAKERS

- Emma BURNHAM, Acting Director of Criminal Enforcement, U.S. Department of Justice, Antitrust Division, Washington, DC
- Thomas G. FUNKE, Osborne Clarke LLP, Köln
- Adam C. HEMLOCK, Weil Gotshal & Manges LLP, New York, NY
- Dena SHARP, Girard Sharp LLP, San Francisco, CA

5

NEW FRONTIERS WITH HEALTHCARE PROVIDERS AND PBMS

M4: SALONS E-H

Presented by the Healthcare & Pharmaceuticals Committee

The FTC and other antitrust agencies have an extensive agenda impacting healthcare providers, their workers, and PBMs. This agenda includes challenging hospital mergers, criticizing COPA agreements, and scrutinizing the practices of PBMs. This panel will focus on the most salient issues affecting these and other healthcare participants today.

SESSION CHAIR/MODERATOR

Peter J. MUCCHETTI, Clifford Chance US LLP, Washington, DC

SPEAKERS

- Christi J. BRAUN, Deputy General Counsel, Scion Health, Nashville, TN
- Leemore DAFNY, Bates White, Boston, MA
- Melissa HILL, Lead Counsel for Antitrust, McKesson Corp., Washington, DC
- Mark SEIDMAN, Assistant Director, Mergers IV, Federal Trade Commission, Washington, DC

6

SELF-PREFERENCING: GOOD, BAD, AND IN-BETWEEN

M2: SALONS 9&10

Presented by the Legislation, Media & Technology, and Unilateral Conduct Committees

Large digital platforms have been criticized for business practices that allegedly benefit themselves while harming competition. But some perceive these practices as benefiting customers and harming only competitors, not competition as a whole. Here we will explore a framework to define "self-preferencing" and understand when it strays from legitimate and welfare-enhancing to exclusionary and anticompetitive.

SESSION CHAIR/MODERATOR

Bret FULKERSON, Senior Corporate Counsel, Indeed, Inc., Austin, TX

SPEAKERS

- Sarah OXENHAM ALLEN, Special Counsel, State Relations, U.S. Department of Justice, Antitrust Division, Washington, DC
- D. Bruce HOFFMAN, Cleary Gottlieb Steen & Hamilton LLP, Washington, DC
- Maureen K. OHLHAUSEN, Baker Botts LLP, Washington, DC
- Nikhil SHANBHAG, Vice President & Associate General Counsel, Product Legal, Competition and Telecommunications Law, Meta Platforms, Inc., Menlo Park, CA

7

TUNA AHOY! ECONOMIC ANALYSES OF CLASS CERTIFICATION (LITIGATION TRACK)

M2: SALONS 12&13

Presented by the Economics Committee

The Ninth Circuit's recent and controversial opinion certifying a class of tuna purchasers details the expert's economic and statistical analyses regarding the impact of the alleged price fixing on class members. Attorneys and economists who typically represent the plaintiffs and defendants will analyze the issues and debate their probative value.

SESSION CHAIR/MODERATOR

James LANGENFELD, Berkeley Research Group, Washington, DC

SPEAKERS

- Debra ARON, Charles River Associates Inc., Chicago, IL
- Eric L. CRAMER, Berger & Montague, Philadelphia, PA
- Eric GRANNON, White & Case LLP, Washington, DC
- Jamie MCCLAVE BALDWIN, InfoTech, Tallahassee, FL



8
WINNING ANTITRUST SUITS WITH EFFECTIVE DEPOSITIONS (LITIGATION TRACK)

M2: SALONS 1-4

Presented by the Civil Practice & Procedure and Trial Practice Committees

Proper depositions can be the most powerful tool during pretrial discovery and may lead to settlement or an expedited trial. A panel of experienced antitrust trial lawyers discuss how they prepare witnesses for depositions and how effectively deposing various types of witnesses in-person and remotely helps them win their antitrust cases.

SESSION CHAIR/MODERATOR

Kenneth R. O'ROURKE, Wilson Sonsini Goodrich & Rosati, Dallas, TX

SPEAKERS

- Meagan K. BELLSHAW, Assistant Chief, Financial Services, Fintech & Banking Section, U.S. Department of Justice, Antitrust Division, Washington, DC
- Megan E. JONES, Hausfeld LLP, San Francisco, CA
- J. Brent JUSTUS, McGuireWoods LLP, Washington, DC
- Hsiao MAO, Boies Schiller Flexner, San Francisco, CA

10:45AM-NOON
CONCURRENT CLE SESSIONS

1
CRIMINALLY MINDED: SECTION 2 PROSECUTIONS ADVANCING (LITIGATION TRACK)

M2: SALONS 9&10

Presented by the Media & Technology and Unilateral Conduct Committees

Last year, DOJ set the antitrust world ablaze by resuming criminal prosecutions of Section 2 violations, something we have not seen in decades. What has DOJ done since and what might we expect to see next? What should the metes and bounds of criminal monopolization enforcement look like? And given those metes and bounds, what can companies and executives do to stay on the right side of the law?

SESSION CHAIR/MODERATOR

Charles C. MOORE, White & Case LLP, Washington, DC

SPEAKERS

- Kathryn HELLINGS, Hogan Lovells US LLP, Washington, DC
- Jacklin LEM, Assistant Chief, San Francisco Office, U.S. Department of Justice, Antitrust Division, San Francisco, CA
- E. Kate PATCHEN, Covington and Burling LLP, New York, NY
- Nana WILBERFORCE, WilmerHale, Los Angeles, CA

2
FUNDAMENTALS-ANTITRUST
M3: SHAW|LEDROIT

Learn antitrust fundamentals from experienced panelists in government and private practice. This session is essential for young lawyers and anyone who wants to be clear on the core elements of U.S. laws and institutions, basic economic principles, and competition law outside the United States.

SESSION CHAIR/MODERATOR

Darren TUCKER, Vinson & Elkins LLP, Washington, DC

SPEAKERS

- Mark R. BUTSCHA, Thompson Hine LLP, Cleveland, OH
- Edward D. CAVANAGH, St. John's University School of Law, New York, NY
- Lisa DANZIG, Cleary Gottlieb Steen & Hamilton LLP, Washington, DC
- January KIM, Trial Attorney, Financial Services, Fintech, and Banking Section, U.S. Department of Justice, Antitrust Division, Washington, DC

3
GET 'EM WHILE THEY'RE SMALL (INTERNATIONAL TRACK)
M4: SALONS A-D

Presented by the Federal Civil Enforcement and Mergers & Acquisitions Committees

Global competition authorities are poised to more aggressively pursue acquisitions of nascent firms, considering future forms of competition that do not exist today. What thresholds should apply in evaluating these deals? What evidence proves whether the whole will be the greater than the sum of its parts? What factors suggest a deal tends to create a monopoly?

SESSION CHAIR/MODERATOR

Scott A. SCHEELE, Kirkland & Ellis LLP, Washington, DC

SPEAKERS

- Jörn EICKHOFF, Head of Legal Competition & Regulatory, Siemens Energy, Munich
- Ryan QUILLIAN, Covington & Burling LLP, Washington, DC
- Meghan RISSMILLER, Freshfields Bruckhaus Deringer LLP, Washington, DC
- Jesse SOLOMON, Davis Polk & Wardwell LLP, Washington, DC



4 **HAS ANTITRUST'S LEGISLATIVE MOMENT ALREADY PASSED?**

M4: SALONS E-H

Presented by the Distribution & Franchising and Legislation Committees

Antitrust reform seemed poised for its moment on the Hill. Yet even some bipartisan and popular bills cannot secure a vote. Has antitrust reform fallen prey to partisan gridlock? Is a legislative fix still necessary? Here we will review the prospects of recently-enacted and still-pending bills as well as lessons learned from the initial fight, and learn what to expect next at the intersection of legislation, politics, and competition policy.

SESSION CHAIR/MODERATOR

Nicholas J. GILES, McGuireWoods LLP, Richmond, VA

SPEAKERS

- Deborah A. GARZA, Rule Garza Howley LLP, Washington, DC
- E. Stewart JEFFRIES, Jeffries Strategies LLC, Washington, DC
- Marc LANOUE, Chief Antitrust & Competition Counsel, Sen. Amy Klobuchar, U.S. Senate Judiciary Committee, Washington, DC
- Amanda LEWIS, Cuneo Gilbert & LaDuca LLP, Washington, DC

5 **HOW TO WIN A CONSUMER PROTECTION CASE (CONSUMER PROTECTION TRACK)**

M4: CAPITOL/CONGRESS

Presented by the Consumer Protection and Economics Committees

The last ten years have seen increasingly sophisticated and novel analytical techniques used to assess consumer harm in a range of cases. Experts opine on conjoint surveys, market simulations, and analysis of enormous data sets. Is it worth it? Learn what has really worked with courts, regulators, and jurors, and why.

SESSION CHAIR/MODERATOR

Gabriela ANTONIE, Cornerstone Research, Chicago, IL

SPEAKERS

- Ashley LANGER, University of Arizona, Tucson, AZ
- James F. SPEYER, Arnold & Porter Kaye Scholer LLP, Washington, DC
- Matthew J. WILSHIRE, Assistant Regional Director-Southwest Region, Federal Trade Commission, Washington, DC

6 **IMPLICIT BIAS ON TRIAL (LITIGATION TRACK)**

M2: SALONS 7+8

Presented by the Diversity, Advanced, Trial Practice, and Women.Connected Committees

The jury system is often described as a means of democratizing justice, but implicit biases of jurors, judges, and other participants in the system can distort judicial outcomes. Practitioners must be mindful that implicit bias can impact all aspects of the trial process and develop strategies for reducing its impact, including by considering selecting diverse trial teams and juries.

SESSION CHAIR/MODERATOR

Michelle O. RINDONE, Assistant Chief, International Section, U.S. Department of Justice, Antitrust Division, Washington, DC

SPEAKERS

- Johanna HILLARD, JuryScope, Minneapolis, MN
- Christian SUNDQUIST, University of Pittsburgh, Pittsburgh, PA
- Tiffany WRIGHT, Howard University School of Law, Washington, DC

7 **REGULATING WOMEN'S PRIVACY POST-DOBBS: THE NEXT FRONTIER (CONSUMER PROTECTION TRACK)**

M2: SALONS 12+13

Presented by the Privacy & Information Security and Women.Connected

The *Dobbs* decision overturned *Roe*, which was based in part on the right to privacy. Now, some states restrict abortion severely while others allow pregnancy termination. Digital information is collected about women that may be used to probe whether pregnant women are acting unlawfully through their location, purchases, and medications. How can we understand these new frontiers of women's privacy?

SESSION CHAIR/MODERATOR

David S. TURETSKY, University of Albany, Albany, NY

SPEAKERS

- Hala AYALA, Former Representative, Virginia House of Delegates, Arlington, VA
- Jessica L. RICH, Kelley Drye & Warren LLP, Washington, DC
- Marya TORREZ, Senior Director, Policy Development & Strategy, Planned Parenthood, Washington, DC
- Michael ULRICH, Boston University School of Public Health, Cambridge, MA



8 ROBINSON-PATMAN COMPLIANCE: A NEW ERA?

M2: SALONS 1-4

Presented by the Corporate Counseling and Distribution & Franchising Committees

Agencies have recently renewed and perhaps expanded enforcement under the Robinson-Patman Act. We will explore potential risks for both sellers and buyers, and risk of expansion into non-price terms (either via legislation or Section 5 enforcement) and other RPA related issues.

SESSION CHAIR/MODERATOR

David H. REICHENBERG, Manatt Phelps & Phillips LLP, New York, NY

SPEAKERS

- Jesus M. ALVARADO-RIVERA, Global Director-Antitrust, Anheuser-Busch InBev, Washington, DC
- Hon. Alvaro BEDOYA, Commissioner, Federal Trade Commission, Washington, DC
- Swathi BOJEDLA, Hausfeld LLP, Washington, DC
- Sarah ZIELINKSKI, McGuireWoods LLP, Chicago, IL

9 VIEWS FROM THE BENCH: NON-MERGERS (LITIGATION TRACK)

M4: SALONS I-P

Presented by the Global Private Litigation and Trial Practice Committees

Non-merger litigation has presented a broad variety of antitrust issues involving dynamic facts and complex economic testimony. Join this panel of experienced judges to discuss how they approach and manage these types of cases.

SESSION CHAIR/MODERATOR

Brian K. GRUBE, Jones Day, Cleveland, OH

SPEAKERS

- Hon. Yvonne GONZALEZ ROGERS, U.S. District Judge, U.S. District Court for the Northern District of California, Oakland, CA

NOON-1:30 PM

SPRING MEETING LUNCHEON: WOMEN AT THE TOP (NETWORKING FUNCTION) [TICKET]

M2: MARQUIS BALLROOM

Ticketed Event – Non-CLE

The world's largest companies used to be dominated by men, but that's changing...especially in the GC's office. In 2021, nearly half of top lawyers appointed at Fortune 500 companies were women. Have we reached equilibrium, or is there more work to do? Hear four powerhouse women GCs reflect on their own paths to the top, as well as the importance of diversity to their organizations and the advancement of the legal profession.

1:45-3:15 PM

CONCURRENT CLE SESSIONS

1 AROUND THE GLOBE WITH INTERNATIONAL ENFORCERS (INTERNATIONAL TRACK)

M2: SALONS 1-4

Presented by the International Committee

International enforcement officials will discuss global trends and the latest developments in antitrust enforcement in their respective jurisdictions.

SESSION CHAIR/MODERATOR

Douglas M. TWEEN, Linklaters LLP, New York, NY

SPEAKERS

- Matthew BOSWELL, Commissioner, Competition Bureau Canada, Gatineau, QC
- Martin COLEMAN, Non-Executive Director and Panel Chair, Competition and Markets Authority (CMA), London
- Guillaume LORIOT, Deputy Director-General, Directorate General for Competition, European Commission, Brussels
- Olha PISHCHANSKA, Chair, Antimonopoly Committee of Ukraine, Kyiv
- Doris TSHEPE, Commissioner, South African Competition Commission, Pretoria



2
ARTIFICIAL INTELLIGENCE, PRIVACY, AND COMPETITION (CONSUMER PROTECTION TRACK)

M4: SALONS M-P

Presented by the Privacy & Information Security and Transportation & Energy Industries Committees

The growth of AI systems -- such as in the case of autonomous vehicles -- represents an exciting and innovative moment for consumers. What are the implications of the AI revolution on data privacy, information and cyber security? Experts will debate and speculate about what the future looks like for privacy in a world of smart technologies.

SESSION CHAIR/MODERATOR

Francesca M. PISANO, Arnold & Porter Kaye Scholer LLP, Washington, DC

SPEAKERS

- Pam DIXON, Executive Director, World Privacy Forum, San Diego, CA
- Sharon KLEIN, Blank Rome, Los Angeles, CA
- Robert M. MAHINI, Senior Competition Counsel, Google LLC, Washington, DC
- Deon WOODS BELL, Senior Advisor, Global Policy, Financial Services for the Poor, Bill & Melinda Gates Foundation, Washington, DC

3
COMPLIANCE FROM THE BOARDROOM TO THE COURTROOM

M2: SALONS 7&8

Presented by the Compliance & Ethics and Corporate Counseling Committees

The nature of antitrust compliance has changed in the wake of new FTC and DOJ leadership, evolving HR guidance, and President Biden's focus on a "whole of government" approach. This panel will explore developments and concepts to keep in mind when designing and implementing a corporate compliance program.

SESSION CHAIR/MODERATOR

Jennifer MILICI, WilmerHale, Washington, DC

SPEAKERS

- Rosanna GARZA-LIPSCOMB, Director, Alphabet Inc., Menlo Park, CA
- Dana WAGNER, Chief Legal Officer and Corporate Secretary, Twilio Inc., San Francisco, CA

4
DO NOT PASS GO -- STEERING AND MONOPOLIES (INTERNATIONAL TRACK)

M2: SALONS 9&10

Presented by the Insurance & Financial Services, Media & Technology, and Unilateral Conduct Committees

Around the globe, legislation clamping down on tech giants is on the rise. From in-app video game purchases to digital wallets, what have practitioners and economists learned in the aftermath of the Digital Markets Act and the Digital Services Act in Europe, and the amended Anti-Monopoly Act in China? And what are the implications for the proposed American Innovation and Choice Online Act in the US?

SESSION CHAIR/MODERATOR

Robin A. VAN DER MEULEN, DiCello Levitt LLC, New York, NY

SPEAKERS

- Rosa M. ABRANTES-METZ, The Brattle Group, New York, NY
- Adrian EMCH, Hogan Lovells LLP, Beijing
- Katrina M. ROBSON, O'Melveny & Myers LLP, Washington, DC

5
DOES ECONOMICS MATTER IN CRIMINAL ANTITRUST CASES? (LITIGATION TRACK)

M4: SALONS I-L

Presented by the Economics and Trial Practice Committees

In criminal antitrust cases, the agreement is the crime. Whether it was successful or had any economic effect is not legally relevant. So what role could economics possibly play in criminal antitrust? Historically, none. But in three significant recent trials, economists testified. Why? What are the legal and practical issues involved in introducing economic evidence in a criminal antitrust trial?

SESSION CHAIR/MODERATOR

Michael TUBACH, O'Melveny & Myers LLP, San Francisco, CA

SPEAKERS

- Nicholas BANASEVIC, Gibson Dunn & Crutcher LLP, Washington, DC
- Pierre CREMIEUX, Analysis Group, Boston, MA
- John JOHNSON, Edgeworth Economics, Washington, DC
- Eytayo ST. MATTHEW-DANIEL, Paul Weiss Rifkind Wharton & Garrison LLP, New York, NY



6
E-COMMERCE PLATFORMS AFTER APPLE V. PEPPER

M4: SALONS A-D

Presented by the Competition Torts and Pricing Conduct Committees

Since the Supreme Court's decision in *Apple v. Pepper*, the basic business model behind the App Store, Google Play and e-commerce platforms has been under fire, including in *Epic v. Apple*, and the upcoming class trial against Google involving Google Play. This lineup of experts will explore what *Pepper* wrought and what is to come.

SESSION CHAIR/MODERATOR

Steven WILLIAMS, Joseph Saveri Law Firm, San Francisco, CA

7
FINANCIERS & NEO-BRANDEISIANS: REVANCHIST BANK ANTITRUST?

M4: SALONS E-H

Presented by the Exemptions & Immunities and Mergers & Acquisitions Committees

As key transmitters of monetary policy and chief implementers of allocative efficiency, banks play a principal role in economic life. Yet, despite regulatory merger control, perennial competition concerns endure in banking. How should the prudential regulators and DOJ address concentration levels in banking as they update the Bank Merger Competitive Review Guidelines (1995) for the fintech era?

SESSION CHAIR/MODERATOR

J. P. FOLEY, Counsel, Office of the Comptroller of the Currency, Washington, DC

SPEAKERS

- Owen KENDLER, Chief, Financial Services, Fintech & Banking Section, U.S. Department of Justice, Antitrust Division, Washington, DC

8
MERGER TRIAL TACTICS: WHAT WORKS, WHAT DOESN'T (LITIGATION TRACK)

M2: SALONS 12&13

Presented by the Women.Connected Committee

Merger litigation moves at a breakneck speed, requiring significant dexterity, efficiency, and perseverance by both sides' counsel. Hear from an all-star panel of antitrust merger litigators on their tips for successfully navigating this fast-paced environment, including best practices for discovery and trial.

SESSION CHAIR/MODERATOR

Leslie C. OVERTON, Axinn Veltrop & Harkrider LLP, Washington, DC

SPEAKERS

- Paula BLIZZARD, Deputy Attorney General, Antitrust Section, Office of the Attorney General, San Francisco, CA
- Ernest ELLMORE, Attorney, Bureau of Competition, Federal Trade Commission, Washington, DC
- Heather NYONG'O, Cleary Gottlieb Steen & Hamilton LLP, San Francisco, CA
- Stephanie PEARL, Trial Attorney, Transportation, Energy & Agriculture Section, U.S. Department of Justice, Antitrust Division, Washington, DC

9
NAVIGATING THE "GREEN" MINEFIELD OF ESG CLAIMS (CONSUMER PROTECTION TRACK)

M4: CAPITOL/CONGRESS

Presented by the Advertising Disputes & Litigation and Consumer Protection Committees

The recent push by companies for greater environmental, social, and governance (ESG) initiatives has been met with increased scrutiny for ESG-centric brand advertising. This panel will address the host of considerations consumer protection practitioners consider for ESG claims, from developing studies to defending them at the FTC or in court, and assessing potential liability and damages.

SESSION CHAIR/MODERATOR

Donnelly L. MCDOWELL, Kelley Drye & Warren LLP, Washington, DC

SPEAKERS

- Lisa CAMERON, The Brattle Group, Boston, MA
- Julia SOLOMON ENSOR, Attorney, Federal Trade Commission, Washington, DC
- Carleen GRIFFITH, Sr. Director, Sr. Counsel, Marketing & Trademarks, U.S. & International, Restaurant Brands International, Miami, FL
- Kim E. RICHMAN, Richman Law & Policy, Irvington, NY



3:30–5:00 PM

CONCURRENT CLE SESSIONS

1

ALL BARK, NO BITE? ANTITRUST UNDER BIDEN

M2: SALONS 1-4

Presented by the Federal Civil Enforcement Committee

With a sweeping executive order on antitrust policy and agency appointments aligned with the "New Brandeisian" movement, has civil antitrust enforcement delivered on these ambitions, gone too far, not far enough, or nowhere yet? What could the next two years bring?

SESSION CHAIR/MODERATOR

Shylah R. ALFONSO, Perkins Coie LLP, Seattle, WA

SPEAKERS

- Ian CONNER, Latham & Watkins LLP, Washington, DC
- Renata B. HESSE, Sullivan & Cromwell LLP, Washington, DC
- J. Michael LEE, Executive Director, Assistant General Counsel, JP Morgan, New York, NY
- Matt STOLLER, Director of Research, American Economic Liberties Project, Washington, DC

2

ANTITRUST IN HIGHER EDUCATION: CLASS IN SESSION!

M2: SALONS 12&13

Presented by the Exemptions & Immunities and Joint Conduct Committees

Colleges and universities cooperate in many ways -- including in financial aid, athletics, student recruitment, faculty hiring, and academics -- but when does such competition become anticompetitive? Recent cases, including *Henry v. Brown University*, *CollegeNET v. Common Application*, and *NCAA v. Alston* highlight the various legal standards that may apply to antitrust in higher education.

SESSION CHAIR/MODERATOR

Scott A. MARTIN, Hausfeld LLP, New York, NY

SPEAKERS

- Heather BURKE, White & Case LLP, Silicon Valley, CA
- Robert D. GILBERT, Gilbert Litigators & Counselors, New York, NY
- Jeanifer PARSIGIAN, Winston & Strawn LLP, San Francisco, CA
- Rohit SINGLA, Munger Tolles & Olson LLP, San Francisco, CA

3

ARE VERTICAL MERGERS FALLING FLAT?

M2: SALONS 9&10

Presented by the Federal Civil Enforcement, Mergers & Acquisitions, and Trial Practice Committees

Antitrust enforcement agencies across the globe seem more willing to challenge vertical mergers and pursue theories of harm beyond the familiar vertical math. Historically, the efficiencies of a vertical merger balanced with firewalls and arbitration sufficed to address potential concerns. Now, agencies are using non-traditional theories around bargaining and information sharing. What's changed?

SESSION CHAIR/MODERATOR

Arthur J. BURKE, Davis Polk & Wardwell LLP, Washington, DC

SPEAKERS

- Hiram ANDREWS, Head of Corporate Legal Antitrust, Novartis, Basel
- Patricia A. BRINK, Acting Deputy Director, Bureau of Competition, Federal Trade Commission, Washington, DC
- Thomas A. MCGRATH, Linklaters LLP, Washington, DC
- Vanessa ZHANG, The Brattle Group, New York, NY

4

ESG INITIATIVES: CURBING EMISSIONS OR COMPETITION? (INTERNATIONAL TRACK)

M2: SALONS 7&8

Presented by the International Cartel Task Force

Many companies are embracing ESG initiatives to fight climate change. Collaborations with like-minded companies are an opportunity to share experience but can raise concerns for antitrust enforcers of cartel "greenwashing." Many enforcers have yet to tackle this issue or align on a consistent view or approach. This panel will explore counseling ESG-minded clients against this developing backdrop.

SESSION CHAIR/MODERATOR

Brent SNYDER, Wilson Sonsini Goodrich & Rosati, San Francisco, CA

SPEAKERS

- Maria JASPERS, Director, Cartels Directorate, Directorate General for Competition, European Commission, Brussels
- Kathleen KONOPKA, Deputy Attorney General/Senior Advisor for Competition Policy, Office of the Attorney General for the District of Columbia, Washington, DC
- Amelia MIAZAD, University of California-Berkeley School of Law, Berkeley, CA
- John TERZAKEN, Simpson Thacher & Bartlett LLP, Washington, DC



5 FUNDAMENTALS-ECONOMICS

M3: SHAW|LEDROIT

Presented by the Economics Committee

Basic economic precepts are indispensable to effective antitrust arguments. Yet, economists' use of increasingly sophisticated theories and methodologies stretches the capacity of jurors, lawyers, and judges to properly apply their conclusions. Learn economic principles and the value to lawyers of keeping pace with state-of-the-art economic thinking.

SESSION CHAIR/MODERATOR

Kelly FAYNE, Latham & Watkins LLP, San Francisco, CA

SPEAKERS

- Josephine DUH, The Brattle Group, San Francisco, CA
- Hassan FAGHANI, Berkeley Research Group, Washington, DC
- Avigail KIFER, Cornerstone Research, New York, NY
- Kelly NORDBY, Ankura Consulting, Boston, MA

6 NOT YOUR AVERAGE SEP AND FRAND PANEL (IP TRACK)

M4: SALONS E-H

Presented by the Intellectual Property Committee

Divergent views persist on how to enforce fair, reasonable, and non-discriminatory (FRAND) commitments and how to effectively balance the interests of standard essential patent owners against downstream innovators. Join us for a mock licensing negotiation between an implementer and an innovator to explore their different viewpoints and where there might be common ground.

SESSION CHAIR/MODERATOR

Kate E. GEHL, Foley & Lardner LLP, Milwaukee, WI

SPEAKERS

- Michael CARRIER, Rutgers University, Camden, NJ
- Dina KALLAY, Head of Antitrust (IPR, Americas, & Asia-Pacific), Ericsson, Washington, DC
- Dan LANG, Vice President, Intellectual Property, Cisco Systems, San Jose, CA
- Koren WONG-ERVIN, Axinn Veltrop & Harkrider LLP, Washington, DC

7 PAY ME NOW OR PAY ME LATER

M3: CAPITOL|CONGRESS

Presented by the Cartel & Criminal Practice and Mergers & Acquisitions Committees

Achieving equity in labor markets has touched virtually every aspect of antitrust enforcement, including civil conduct, cartel, and mergers, and has spawned litigation over labor restrictions postulated to support competitor collaborations. What's next and how will future traffic navigate the intersection of labor equity and antitrust?

SESSION CHAIR/MODERATOR

Bernard A. NIGRO, Fried Frank Harris Shriver & Jacobson LLP, Washington, DC

SPEAKERS

- Isabella A. ALARIE, WNBA Player, Dallas Wings, Dallas, TX
- Schonette JONES WALKER, Chief, Antitrust Division, Office of Maryland Attorney General, Baltimore, MD
- Jeffrey KESSLER, Winston & Strawn LLP, New York, NY
- Synda MARK, Acting Deputy Assistant Director, Federal Trade Commission, Washington, DC

8 PRIVACY ENFORCEMENT: WITH OR WITHOUT YOU (CONSUMER PROTECTION TRACK)

M4: SALONS M-P

Presented by the Privacy & Information Security Committee

A new federal privacy law may be on the horizon, but in the meantime the states (CA, CO, CT, VA, UT) and federal agencies (FTC, CFPB) have stepped up efforts in privacy and cyber enforcement. Our panel discusses recent efforts, potential conflicts in enforcement, and the remaining holes in the ever-evolving privacy regulatory landscape.

SESSION CHAIR/MODERATOR

Matthew W. VAN HISE, Chief Privacy Officer, Assistant Attorney General & Privacy Unit Chief, Office of the Illinois Attorney General, Chicago, IL

SPEAKERS

- Kathleen BENWAY, Alston & Bird LLP, Washington, DC
- ManeeshaMITHAL, Wilson Sonsini Goodrich & Rosati, Washington, DC
- Ashkan SOLTANI, Executive Director, California Privacy Protection Agency, Oakland, CA
- Yael WEINMAN, Vice President and Associate General Counsel-Privacy, Verizon, Washington, DC



9

SHALL WE PLAY A GAME? (LITIGATION TRACK)

M4: SALONS I-L

Presented by the Media & Technology Committee

Epic Games v. Apple found mobile gaming to be a \$100 billion market. Antitrust suits have been brought against Sony's PlayStation Store and Valve's PC-gaming Steam platform. Federal agencies are taking a hard look at Microsoft's acquisition of Activision Blizzard, and the FTC has sued to enjoin Meta's expansion into VR. How should antitrust be applied to the highly dynamic video game industry and what impact will antitrust have in the development of the metaverse?

SESSION CHAIR/MODERATOR

Ankur KAPOOR, Constantine Cannon LLP, New York, NY

SPEAKERS

- Tasneem CHIPTY, Chipty Economics, Boston, MA
- Samantha KNOX, Director & Associate General Counsel, Competition, Meta Platforms, Inc., Mountain View, CA
- Nicholas LEVY, Cleary Gottlieb Steen & Hamilton LLP, London

10

WHERE THE ACTION IS IN CLASS ACTIONS (LITIGATION TRACK)

M4: SALONS A-D

Presented by the Global Private Litigation and Trial Practice Committees

What are the most important issues currently driving class action litigation? Panelists will discuss standing, injury to absent class members, multi-state state law claims, the use of experts, and more.

SESSION CHAIR/MODERATOR

Hon. Jon S. TIGAR, U.S. District Judge, U.S. District Court for the Northern District of California, Oakland, CA

SPEAKERS

- Alexandra LAHAV, Cornell Law School, New York, NY
- Bonnie LAU, Morrison & Foerster LLP, San Francisco, CA
- Belinda S. LEE, Latham & Watkins LLP, San Francisco, CA
- Kellie LERNER, Robins Kaplan LLP, New York, NY

5:00–6:00 PM

WELCOME RECEPTION (NETWORKING FUNCTION)

MEZZANINE

Cocktails. Conversations. Colleagues. Committees. Connections. Mix and mingle with your fellow Spring Meeting attendees while learning more about the Antitrust Law Section Committees. Your Spring Meeting badge is your ticket to attend.

6:00–7:00 PM

PLAINTIFFS' RECEPTION (NETWORKING FUNCTION)

Registered attorneys from the plaintiffs' bar are invited to join their peers and the Global Private Litigation Committee for an opportunity to network and discuss issues of common interest. A ticket to attend will be included in the registration materials for plaintiffs' counsel.

THURSDAY, MARCH 30

7:00AM–5:30 PM

REGISTRATION OPEN--MEZZANINE

CLE SIGN-IN--M1: HOWARD

7:30AM–5:30 PM

BOOKSTORE & COFFEE SHOP OPEN--M4: ARCHIVES

7:30–8:15 AM

COFFEE CONVERSATIONS

Please drop by the M-level lounges prior to the start of the day as we engage with thought leaders in informal (non-CLE) dialogues to include diversity and inclusion as well as career development. Additional details will be provided closer to the Spring Meeting on the online agenda.

1. CAREER CONVERSATIONS--M4: SUPREME COURT

2. DIVERSITY DIALOGUES: LGBTQIA+----M1: GEORGETOWN

3. FRIENDS OF BILL--M3: CHINATOWN



8:00–10:00 AM

ETHICS CLE SESSION

ETHICS & COMPLIANCE IN GLOBAL INVESTIGATIONS

M4: SALONS M-P

Presented by Compliance & Ethics, International Comments & Policy, and Pricing Conduct Committees

Managing ethical rules and compliance across global antitrust investigations is increasingly fraught. Conflicts of interest proliferate with expanded agency reliance on individual liability. Differentiated rules on privilege, confidentiality, privacy and employees' rights impact how counsel can handle multijurisdictional investigations. Hear how best to navigate these challenging issues.

SESSION CHAIR/MODERATOR

Amadeu C. RIBEIRO, Mattos Filho, New York, NY

SPEAKERS

- Kala ANANDARAJAH, Rajah & Tann, Singapore
- Lauren E. BRIGGERMAN, Miller & Chevalier, Washington, DC
- Markus ROEHRIG, Hengeler Mueller, Brussels

8:30–10:00 AM

CONCURRENT CLE SESSIONS

1

ALGORITHMIC COLLUSION: THE FUTURE OF ENFORCEMENT

M3: SHAW|LEDROIT

Presented by the Cartel & Criminal Practice, Joint Conduct, and Pricing Conduct Committees

The increasing use of pricing algorithms by online sellers over the last decade has prompted debate over whether they facilitate collusion among competitors, yet enforcement actions remain rare. Recent economic evidence suggests that pricing algorithms can soften competition under real-world conditions. We discuss the future outlook for enforcement actions related to algorithmic collusion.

SESSION CHAIR/MODERATOR

• Creighton MACY, Baker McKenzie, Washington, DC

SPEAKERS

- Robert CLARK, Queen's University, Department of Economics, Kingston, ONT
- Laurien GILBERT, Cornerstone Research, Washington, DC
- Ann CHO LUCAS, Trial Attorney, U.S. Department of Justice, Antitrust Division, New York, NY
- Sonia K. PFAFFENROTH, Arnold & Porter Kaye Scholer LLP, Washington, DC

2

BRIEFING WITH STATE ENFORCERS

M2: SALONS 12&13

Presented by the Consumer Protection and State Enforcement Committees

With State enforcement actions on the rise, there is increasing interest in what State enforcers have planned for the future. Come watch State enforcers discuss coordination efforts for antitrust investigations and the shared and individual goals of their respective agencies.

SESSION CHAIR/MODERATOR

Patricia A. CONNERS, Stearns Weaver Miller, Tallahassee, FL

SPEAKERS

- Lizabeth A. BRADY, Director, Antitrust Division, Office of the Attorney General, Tallahassee, FL
- Beatriz MARQUES, Assistant Attorney General, Office of the New York State Attorney General, New York, NY
- Hart MARTIN, Deputy Director & Special Assistant Attorney General, Consumer Protection Division, Mississippi Attorney General's Office, Canton, MS
- William MATLACK, Assistant Attorney General, Chief, Antitrust Division, Office of the Attorney General, Boston, MA



3 **HEALTHCARE M&AS: DOES IP MATTER? (IP TRACK)**

M4: SALONS I-L

Presented by the Healthcare & Pharmaceuticals and Intellectual Property Committees

Whether concerning a large pharmaceutical firm that is expanding its drug pipeline or an eHealth startup developing a digital platform, intellectual property is an important component of many mergers and acquisitions in the healthcare sector. What principles should guide the review of these transactions to foster a competitive and innovative ecosystem? What are the considerations for IP in vertical healthcare mergers?

SESSION CHAIR/MODERATOR

Urška PETROVIC, Director, Economic Strategy, Qualcomm Inc., San Diego, CA

SPEAKERS

- Mary LEHNER, Freshfields Bruckhaus Deringer LLP, Washington, DC
- Kimberly PARKER, Executive Vice President and General Counsel, Mayne Pharma, Raleigh, NC
- Hartmut SCHNEIDER, WilmerHale, Washington, DC

4 **IS AMG THE TIP OF THE ICEBERG? (CONSUMER PROTECTION TRACK)**

M4: CAPITOL/CONGRESS

Presented by the Advertising Disputes & Litigation, Federal Civil Enforcement, and Trial Practice Committees

Two years since the Supreme Court stripped the Federal Trade Commission of its authority to obtain monetary remedies pursuant to Section 13(b) of the FTC Act in *FTC v. AMG*, the agency now faces additional constitutional challenges. What does the future of federal enforcement look like in light of decisions in *Axon*, *WV v. EPA*, and even *Jarskesy*? This panel explores how the Supreme Court's reexamination of agency authority could impact the FTC.

SESSION CHAIR/MODERATOR

Laura VANDRUFF, Kelley Drye & Warren LLP, Washington, DC

SPEAKERS

- Olivia ADENDORFF, Kirkland & Ellis LLP, Washington, DC
- Bikram BANDY, Chief Litigation Counsel, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC
- William E. KOVACIC, The George Washington University Law School, Washington, DC
- Erin E. MURPHY, Clement & Murphy PLLC, Washington, DC

5 **TRYING A SECTION 2 CASE: BEST PRACTICES (LITIGATION TRACK)**

M2: SALONS 7-10

Presented by the Antitrust Periodicals (ALJ, Magazine) and Unilateral Conduct Committee

We reside in a new Golden Age of monopolization enforcement, both public and private. And yet this is an era of free products, multi-sided markets and lightning-speed innovation. Does this call into question the old "copper wire" "lazy monopolist" image of Section 2 cases? How do monopolies and attempts to monopolize look in this day and age?

SESSION CHAIR/MODERATOR

Ian T. SIMMONS, O'Melveny & Myers LLP, Washington, DC

SPEAKERS

- A. Douglas MELAMED, Stanford University, Stanford, CA
- John ROBERTI, Cohen & Gressler LLP, Washington, DC
- Bonny E. SWEENEY, Senior Trial Counsel, U.S. Department of Justice, Antitrust Division, San Diego, CA
- Christopher S. YOO, University of Pennsylvania, Philadelphia, PA

6 **VIEWS FROM THE BENCH: MERGERS? (LITIGATION TRACK)**

M4: SALONS A-H

Presented by the Global Private Litigation and Trial Practice Committees

The past few years have seen some of the most challenging and heavily litigated merger cases come before the courts. Judges who have heard these cases will share their lessons and observations from the bench.

SESSION CHAIR/MODERATOR

Jonathan I. GLEKLEN, Arnold & Porter Kaye Scholer LLP, Washington, DC

10:15-NOON **CHAIR'S SHOWCASE**

M2: MARQUIS BALLROOM

Moving the Needle. What actually influences antitrust, data privacy and consumer protection law policy and enforcement?

SESSION CHAIR/ MODERATOR

Thomas F. ZYCH Sr., Thompson Hine LLP, Cleveland, OH

SPEAKERS

- Alexandre CORDEIRO MACEDO, President, Conselho Administrativo De Defesa Economica (CADE), Brasilia



12:15–1:15 PM

LUNCHEON RECEPTION FOR IN-HOUSE COUNSEL

The Section Officers and Spring Meeting Co-Chairs invite registered Spring Meeting in-house counsel to a luncheon reception. This is an opportunity to make connections and discuss issues of common interest with peers at other companies. A ticket to attend will be included in the registration materials for in-house counsel attending the Spring Meeting. Details will be emailed closer to the Spring Meeting.

1:30–3:00 PM

CONCURRENT CLE SESSIONS

1

BIG TECH UNDER THE MICROSCOPE

M4: SALONS A-H

Presented by the Federal Civil Enforcement, State Enforcement, and Unilateral Conduct Committees

Government enforcers in the U.S. and Europe are litigating landmark antitrust cases against large tech companies accused of monopolization and exclusionary conduct. These lawsuits have captured the public's attention and placed a spotlight on antitrust enforcement in dynamic markets. Hear directly from agency representatives about the status of these cases and their policy considerations.

SESSION CHAIR/MODERATOR

Tara I. KOSLOV, Deputy Director, Bureau of Competition, Federal Trade Commission, Washington, DC

SPEAKERS

- Alberto BACCHIEGA, Director, Information, Communication and Media, Directorate General for Competition, European Commission, Brussels
- Daniel S. GUARNERA, Counsel to the Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
- James LLOYD, Antitrust Section Chief, Office of the Attorney General, Austin, TX

2

CHECK YOUR BLINDSPOT: STATE ROADBLOCKS WHEN MERGING

M4: SALONS M-P

Presented by the Healthcare & Pharmaceuticals, Mergers & Acquisitions, and State Enforcement Committees

State AGs are increasingly active in merger enforcement, and merging parties must consider federal and state merger notification laws and review. States are not afraid to challenge transactions without their federal counterparts but may focus on labor or non-price dimensions of competition, such as local community impact or charitable mission. Can parties overcome unique challenges when facing multiple roadblocks?

SESSION CHAIR/MODERATOR

Diane R. HAZEL, Foley & Lardner LLP, Denver, CO

SPEAKERS

- Adam GITLIN, Chief Antitrust & NonProfit Enforcement Section, Office of the Attorney General for the District of Columbia, Washington, DC
- Elinor R. HOFFMAN, Chief, Antitrust Bureau, Office of the New York State Attorney General, New York, NY
- Jonathan MARK, Antitrust Division Chief, Washington State Attorney General's Office, Seattle, WA
- Stephen Y. WU, McDermott Will & Emery, Chicago, IL

3

CONSUMER PROTECTION YEAR IN REVIEW (CONSUMER PROTECTION TRACK)

M2: CAPITOL|CONGRESS

Presented by the Consumer Protection Committee

This panel provides an "in the trenches" overview of the key FTC, AG, NAD/BBB, and private sector developments from the past year.

SESSION CHAIR/MODERATOR

Paul SINGER, Kelley Drye & Warren LLP, Austin, TX

SPEAKERS

- Laura BRETTE, Vice President, National Advertising Division, BBB National Programs, New York, NY
- Lesley A. FAIR, Senior Attorney, Consumer Protection Bureau, Federal Trade Commission, Washington, DC
- Patrice S. MALLOY, Privacy Bureau Chief, Office of the Attorney General, Tallahassee, FL



4

FUNDAMENTALS --ANTITRUST AND IP LAW (IP TRACK)

M2: SHAW|LEDROIT

Presented by the Intellectual Property and Media & Technology Committees

This session will provide an introduction to key concepts at the intersection of IP and antitrust, including IP and market power, tying, refusal to license, exclusive licensing, grantbacks, package licensing, field of use restrictions, and pharmaceutical issues such as reverse payments.

SESSION CHAIR/MODERATOR

Abigail CESSNA, Clifford Chance, Washington, DC

SPEAKERS

- Molly HERRON, Lead Group Antitrust Counsel, ex-Americas, Novartis, Basel
- Anu SAWKAR, Special Counsel Intellectual Property, Federal Trade Commission, Washington, DC
- Richard M. STEUER, Fordham University School of Law, New York, NY
- Christopher VELLTURO, Quantitative Economic Solutions LLC, Boston, MA

5

INCORPORATING EQUITY: A GLOBAL PERSPECTIVE (INTERNATIONAL TRACK)

M2: SALONS 12&13

Presented by the Diversity, Advanced, International, and Women.Connected Committees

Jurisdictions around the world have had different degrees of success in incorporating concepts of equity such as race, gender, and other factors into competition law and policy. Academia, government, and firms each can, and are, playing a critical role. Exploring these global experiences can inform us about how and whether other jurisdictions can make progress.

SESSION CHAIR/MODERATOR

Maria STOYADINOVA, Compass Lexecon, Washington, DC

SPEAKERS

- Anna Francesca BELGIORNO-NETTIS, Gilbert + Tobin, Sydney
- Brian M. CLARK, Economist, U.S. Department of Justice, Antitrust Division, Washington, DC
- Ellen CREIGHTON, Assistant Deputy Commissioner, International Affairs Directorate, Competition Bureau Canada, Gatineau, QC
- Betty MKATSHWA, Senior Analyst, Advocacy Division, South African Competition Commission, Johannesburg

6

NATIONAL SECURITY REVIEWS OF M&A: GLOBAL PERSPECTIVES (INTERNATIONAL TRACK)

M2: SALONS 3&4

Presented by the International and Mergers & Acquisitions Committees

Alongside antitrust reviews, national security reviews of foreign investment recently have been proliferating around the globe. While the practices are sometimes separate, competition M&A lawyers often have to wear two hats. Learn what you need to have on your radar screen about the new regimes in the UK, Europe, China and Canada and how they compare to CFIUS reviews in the U.S.

SESSION CHAIR/MODERATOR

Subrata BHATTACHARJEE, Borden Ladner Gervais LLP, Toronto, ONT

SPEAKERS

- Yong BAI, Clifford Chance LLP, Beijing
- Michael CONSIDINE, Deputy Assistant Secretary, U.S. Department of Energy, Office of Foreign Investment and National Security, Dallas, TX
- Rona BAR-ISAAC, Addleshaw Goddard LLP, London
- Anne SALLADIN, Hogan Lovells US LLP, Washington, DC

7

UNDER THE UMBRELLA: ANTITRUST DAMAGES (LITIGATION TRACK)

M4: CAPITOL|CONGRESS

Presented by the Civil Practice & Procedure Committees

In 2018, the Third Circuit relaxed its prohibition on "umbrella damages" -- those incurred by purchasers from non-conspiring competitors of alleged wrongdoers. Last year, the Second Circuit went the other way. Umbrella damages are typically recoverable in other jurisdictions, should U.S. law catch up?

SESSION CHAIR/MODERATOR

Sarah C. LAFRENIERE, Hausfeld LLP, Washington, DC

SPEAKERS

- Patrick ASHBY, Linklaters LLP, New York, NY
- Lin CHAN, Loeff Cabraser Heimann & Bernstein LLP, Madison, WI
- William J. KOLASKY, Hughes Hubbard & Reed LLP, Washington, DC
- Nancy L. ROSE, Massachusetts Institute of Technology, Cambridge, MA



8
U.S. CARTEL ENFORCEMENT: WHERE ARE WE GOING?
M2: SALONS 7-10

Presented by the Cartel & Criminal Practice Committee

One year ago, the U.S. Department of Justice Antitrust Division updated a number of its criminal enforcement policies and practices, including changes to its leniency policy. How have those updates worked in practice so far? How will the Monaco Memo and the Department's emphasis on white-collar individual accountability further affect antitrust enforcement? Is there more to come?

SESSION CHAIR/CO-MODERATOR

Caroline ZISER-SMITH, Gibson Dunn & Crutcher LLP, Washington, DC

SPEAKERS

- D. Jarrett ARP, Davis Polk & Wardwell LLP, Washington, DC
- Craig LEE, Hunton Andrews Kurth, Washington, DC
- Richard A. POWERS, Fried Frank Harris Shriver & Jacobson LLP, New York, NY
- Marvin PRICE, Director of Criminal Enforcement, U.S. Department of Justice, Antitrust Division, Washington, DC

1:30-5:00 PM (WITH BREAK 3:00-3:15 PM)

SPRING MEETING MOCK TRIAL (LITIGATION TRACK)

M4: SALONS I-L

Presented by the Global Private Litigation and Trial Practice Committees

No matter the industry -- from poultry to healthcare -- there have been several criminal enforcement trials in the news lately. Come watch as two distinguished trial teams tackle some of the challenging fact issues raised in recent cases and watch how a jury responds to them and the economics on which they turn.

SESSION CHAIR/MODERATOR

William M. KATZ, Holland & Knight LLP, Dallas, TX

SPEAKERS

- Hon. James DONATO, U.S. District Judge, U.S. District Court for the Northern District of California, San Francisco, CA
- Divya MATHUR, Analysis Group, San Francisco, CA
- Veronica S. MOYE, Gibson Dunn & Crutcher LLP, Dallas, TX
- Anna T. PLETCHER, O'Melveny & Myers LLP, San Francisco, CA
- Subbu RAMANARAYAN, NERA Economic Consulting, Washington, DC
- James WEINGARTEN, Deputy Chief Trial Counsel, Federal Trade Commission, Washington, DC

3:30-5:00 PM

CONCURRENT CLE SESSIONS

1

ALGORITHMS IN THE SPOTLIGHT (CONSUMER PROTECTION TRACK)

M2: SALONS 12&13

Presented by the Consumer Protection, Pricing Conduct, and Privacy Information Security Committees

As companies increasingly use algorithms to set prices and make marketing decisions, the potential effects have been the subject of litigation and policy debate. How should antitrust concerns be weighed against privacy and consumer protection concerns? Is price discrimination efficient or harmful to consumers? What is fair data use?

SESSION CHAIR/MODERATOR

Emily N. WALDEN, NERA Economic Consulting, Washington, DC

SPEAKERS

- Mark EICHORN, Assistant Director, Division of Privacy and Identity Protection, Federal Trade Commission, Washington, DC
- Steven TADELIS, University of California-Berkeley, Haas School of Business, Berkeley, CA
- Steven THOMAS, Kelkoo Group, London

2

IS SPECIAL TREATMENT FOR SPORTS FADING? (INTERNATIONAL TRACK)

M2: SALONS 7-10

Presented by the International and Trade, Sports & Professional Associations Committees

The "baseball exemption" and "amateurism" model continue to be under attack, and various challenges to league dominance are underway -- including golfers challenging the conduct of the PGA in prohibiting them from playing in the FedEx Cup playoffs in response to competition from LIV Golf, and across the Atlantic, where the European Court of Justice is considering the legality of UEFA's and FIFA's conduct in response to competition from the upstart Super League. What do these challenges mean for sports and dominant leagues?

SESSION CHAIR

John T. DELACOURT, Chief Legal Officer, Plasma Protein Therapeutics Association, Washington, DC

MODERATOR

Bryan L. BLOOM, Senior Enforcement Counsel, Antitrust Bureau, Office of the New York State Attorney General, New York, NY

SPEAKERS

- Jodi BALSAM, Brooklyn Law School, New York, NY



- Patrick A. BRADFORD, Bradford Edwards & Varlack LLP, New York, NY
- Karen M. LENT, Skadden Arps Slate Meagher & Flom LLP, New York, NY
- Miguel ODRIÓZOLA ALEN, Clifford Chance, Madrid

3 HOT TOPICS

M4: SALONS A-H

Changes in antitrust, consumer protection, and privacy policy enforcement, and litigation, are ubiquitous. Join this discussion for the hottest issues of this past year and what may be yet to come.

SESSION CHAIR/ MODERATOR

Sheila R. ADAMS, Davis Polk & Wardwell LLP, New York, NY

SPEAKERS

- Olivier GUERSENT, Director-General, Directorate General for Competition, European Commission, Brussels
- Andreas MUNDT, President, Bundeskartellamt & Steering Group Chair, International Competition Network (ICN), Bonn
- Hon. Rebecca K. SLAUGHTER, Commissioner, Federal Trade Commission, Washington, DC
- Richard G. PARKER, Gibson Dunn & Crutcher LLP, Washington, DC

4 NEW ENFORCEMENT LANDSCAPE'S IMPACT ON COMPLIANCE

M2: SALONS 1&2

Presented by the Cartel and Criminal Practice and Compliance & Ethics Committees

The enforcement landscape has changed dramatically in recent years in terms of what conduct the Antitrust Division says it intends to prosecute, including alleged labor market collusion, Clayton Act Section 8 interlocks and Sherman Act Section 2 conduct. These efforts may be novel, untested or unused for many years. This panel will discuss the changing enforcement environment and provide compliance guidance to companies and their executives.

SESSION CHAIR/MODERATOR

James H. MUTCHNIK, Kirkland & Ellis LLP, Washington, DC

SPEAKERS

- James FREDERICKS, Chief, Criminal II Section, U.S. Department of Justice, Antitrust Division, Washington, DC
- Elizabeth PREWITT, Latham & Watkins LLP, New York, NY
- Wendy H. WASZMER, Wilson Sonsini Goodrich & Rosati, New York, NY

5 PRIVATE EQUITY: VILLAIN OR BOGEYMAN?

M2: SALONS 3&4

Presented by the Federal Civil Enforcement and Insurance & Financial Services Committees

DOJ officials echoed FTC Chair Khan's critique of private equity vis-a-vis antitrust approximately one year ago. The reverberations have been felt in merger reviews (including divestitures), consent decrees, and conduct investigations. Practitioners will take stock of what has stayed the same and what has changed regarding private equity strategies for navigating the agencies.

SESSION CHAIR/MODERATOR

Michael F. MURRAY, Paul Hastings LLP, Washington, DC

SPEAKERS

- Laura M. ALEXANDER, Director of Markets and Competition, Washington Center for Equitable Growth, Washington, DC
- Alicia J. BATTS, Faegre Drinker Biddle & Reath LLP, Washington, DC
- Rahul RAO, Deputy Director, Bureau of Competition, Federal Trade Commission, Washington, DC
- Catherine REILLY, Counsel for Civil Operations, U.S. Department of Justice, Antitrust Division, Washington, DC

6 RIGHT TO REPAIR: FROM AG TO APPLE (IP TRACK)

M4: SALONS M-P

Presented by Agriculture & Food, Consumer Protection, and Intellectual Property Committees

Multiple lawsuits have been filed challenging manufacturers restrictions on farm equipment repair, and President Bidens' Executive Order pushed for FTC rulemaking citing these restrictions. Should there be a right to repair in the farm equipment aftermarket? If so, should the same protections apply where that right has IP implications? Come listen to experts on goods from tractors to smart phones debate this topic.

SESSION CHAIR/MODERATOR

Barbara WOOTTON, Arnold & Porter Kaye Scholer LLP, Washington, DC

SPEAKERS

- Kathleen DAFFAN, Assistant Director, Division of Marketing Practices, Federal Trade Commission, Washington, DC
- Suzanne MUNCK AF ROSENSCHOLD, Davis Polk & Wardwell LLP, Washington, DC
- Basel MUSHARBASH, Basel PLLC, Paris, TX
- Peter WEEMS, Senior Director Policy & Strategy, Medical Imaging & Technology Alliance (MITA), Washington, DC



7

THE DIGITAL DIVIDE AND VULNERABLE CONSUMERS

M2: CAPITOL|CONGRESS

Presented by the Diversity, Advanced, Media & Technology, and Women.Connected Committees

Digital inequity disproportionately harms women, low-income, and historically marginalized consumers and exposes them to fraud, scams, privacy violations, and other consequences. What can the private sector do to close the digital divide and protect such consumers from harm? How can policy initiatives such as Broadband Equity, Access, & Deployment (BEAD) enhance digital equity & inclusion?

SESSION CHAIR/MODERATOR

Anna A. CHEHTOVA, Senior Counsel, Wireless DISH Network, Denver, CO

SPEAKERS

- Greg GUICE, Director of Government Affairs, Public Knowledge, Arlington, VA
- Broderick JOHNSON, Executive Vice President, Public Policy & EVP of Digital Equity, Comcast Corporation, Washington, DC
- Gabrielle Z.A. KOHLMAYER, Associate General Counsel for Antitrust, Verizon, Washington, DC
- Angela THI BENNETT, Equity Director, Digital Inclusion, Washington, DC

8

THE NEW BRANDEISIANS: ROADMAP FOR THE FUTURE?

M2: SHAW|LEDROIT

Presented by the Federal Civil Enforcement, Legislation, and Unilateral Conduct Committees

We are in an age of renewed focus on Justice Brandeis' vision regarding the purpose of antitrust. This vision is influencing both enforcers and legislators, resulting in more novel cases and legislative activity than we've ever seen over the past thirty years. What precisely does it mean to be a New Brandeisian? And where do they foresee taking the field of antitrust in the future?

SESSION CHAIR/MODERATOR

Sean M. FLAIM, Trial Attorney, U.S. Department of Health and Human Services, Washington, DC

SPEAKERS

- Daniel A. CRANE, University of Michigan, Ann Arbor, MI
- Sally HUBBARD, Senior Counsel to the Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
- Dina H. SRINIVASAN, Thurmond Arnold Project, San Francisco, CA
- Sandeep VAHEESEN, Open Markets Institute, Washington, DC

7:15–9:30 PM

SECTION DINNER WITH DESSERT RECEPTION (NETWORKING FUNCTION)

M2: MARQUIS BALLROOM

Enjoy dinner with your colleagues and clients followed by a fun post-dinner dessert reception with cocktails and tunes. Table and individual tickets are available for purchase.

FRIDAY MARCH 31

7:00AM–NOON

REGISTRATION OPEN--MEZZANINE

CLE SIGN-IN--M1: HOWARD

7:30AM–12:30 PM

BOOKSTORE & COFFEE SHOP OPEN--M4: ARCHIVES

7:30–8:15 AM

COFFEE CONVERSATIONS

Please drop by the M-level lounges prior to the start of the day as we engage with thought leaders in informal (non-CLE) dialogues to include diversity and inclusion as well as career development. Additional details will be provided closer to the Spring Meeting on the online agenda.

1. CAREER CONVERSATIONS--M4: SUPREME COURT

2. DIVERSITY DIALOGUES--M1: GEORGETOWN

3. FRIENDS OF BILL--M3: CHINATOWN



8:30–9:45 AM

CONCURRENT CLE SESSIONS

1

AGENCY UPDATE WITH THE FTC BUREAU DIRECTORS

M4: SALONS A-H

Presented by the Federal Civil Enforcement Committee

Always a Spring Meeting highlight to listen to the FTC discuss their priorities and policy initiatives in antitrust and consumer protection enforcement.

SESSION CHAIR/MODERATOR

Steven J. CERNAK, Bona Law PC, Novi, MI

SPEAKERS

- Samuel A.A. LEVINE, Director, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC
- Aviv NEVO, Director, Bureau of Economics, Federal Trade Commission, Washington, DC
- Holly VEDOVA, Director, Bureau of Competition, Federal Trade Commission, Washington, DC
- Elizabeth WILKINS, Director, Office of Policy Planning, Federal Trade Commission, Washington, DC

2

HOW I LEARNED TO LOVE PRETRIAL FILINGS (LITIGATION TRACK)

M4: SALONS M-P

Presented by the Civil Practice & Procedure and Trial Practice Committees

Many trials are won even before voir dire. What evidence will be presented to the factfinder and how the factfinder will be instructed to consider the evidence can be outcome determinative. Come learn practical tips to master the art of pretrial filing, what to do and not to do when drafting complaints, motions in limine, deposition designations and proposed jury instructions.

SESSION CHAIR/MODERATOR

Christopher YOUNG, Joseph Saveri Law Firm, San Francisco, CA

SPEAKERS

- Jesse BERINGER, Orrick Herrington & Sutcliffe, Washington, DC
- Laura C. FELLOWS, Paul LLP, Kansas City, MO
- Renita KHANDUJA, WilmerHale, New York, NY
- Heather T. RANKIE, Zelle LLP, Oakland, CA

3

IS IMITATION THE HIGHEST FORM OF COMPETITION? (INTERNATIONAL TRACK)

M4: SALONS I-L

Presented by the Cartel & Criminal Practice, Global Private Litigation, and International Committees

The U.S. is rightly regarded as the originator (and exporter) of antitrust class actions. But in recent years, antitrust class action jurisprudence has developed further and more quickly internationally. Places like Canada, the United Kingdom, and the EU have lowered class certification standards while broadening the scope of liability. Come learn how to prosecute these issues or protect your clients abroad.

SESSION CHAIR/MODERATOR

Casey HALLADAY, McCarthy Tetrault LLP, Toronto, ONT

SPEAKERS

- Lesley HANNAH, Hausfeld LLP, Washington, DC
- Tara REINHART, Skadden Arps Slate Meagher & Flom LLP, Washington, DC
- Elisabetta RIGHINI, Latham & Watkins LLP, Brussels
- Priyanka TIMBLO, Holwell Shuster & Goldberg, London

4

MORE MONEY MORE PROBLEMS (CONSUMER PROTECTION TRACK)

M4: CAPITOL/CONGRESS

Presented by the Consumer Protection and Insurance & Financial Services Committees

Crypto has introduced a range of complex new legal issues, as the consumer protection mission continues to be vital in financial services more broadly. Get current on the latest activities of the CFPB and the hottest issues at the intersection of consumer protection and financial services.

SESSION CHAIR/MODERATOR

Duane POZZA, Wiley Rein LLP, Washington, DC

SPEAKERS

- Michael DAWSON, WilmerHale, Washington, DC
- Robin NUNN, Morgan Lewis & Bockius LLP, Washington, DC
- Amy ZIRKLE, Senior Litigation Counsel, Consumer Financial Protection Bureau, Washington, DC



5
TWEETS, LIKES, AND SCRAPING (CONSUMER PROTECTION TRACK)

M2: SALONS 7-10

Presented by the Advertising Disputes & Litigation and Consumer Protection Committees

Firms and consumers create vast amounts of data each day in social media. This raises a host of issues, from advertising law to evidentiary rules. Learn about the opportunities and pitfalls surrounding the use of social media, data and machine learning methods.

SESSION CHAIR/MODERATOR

Anne Catherine FAYE, Analysis Group, Boston, MA

SPEAKERS

- Jonah BERGER, University of Pennsylvania, Washington, DC
- Michael D. MEUTI, Benesch, Cleveland, OH
- Maria SALGADO, Cornerstone Research, San Francisco, CA

10:00 AM–NOON

ENFORCERS ROUNDTABLE

M2: MARQUIS BALLROOM

What are the world's leading competition authorities' enforcement priorities for the year? What is their take on cases and investigations hitting the news? Come to the Roundtable and find out!

SESSION CHAIR/ CO-MODERATOR

Thomas F. ZYCH Sr., Thompson Hine LLP, Cleveland, OH

SPEAKERS

- Gwendolyn J. COOLEY, Assistant Attorney General for Antitrust, Office of the Attorney General, Madison, WI
- Hon. Jonathan S. KANTER, Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC INVITED
- Hon. Lina KHAN, Chair, Federal Trade Commission, Washington, DC INVITED
- Margrethe VESTAGER, Vice President & Commissioner, European Commission, Brussels

PLEASE NOTE: PLEASE CHECK ONLINE IN EARLY MARCH FOR DETAILS ON THE FIRESIDE CHATS WITH NON-US ENFORCERS.

CLE STATEMENT

The ABA will seek 16.25 hours of CLE Credit, including 1.5 of Elimination of Bias credit and 2.0 of Ethics credit in 60-minute states, and 19.5 hours of CLE credit, including with 1.8 Elimination of Bias credit and 2.4 hours of Ethics credit in 50-minute states. Credit hours are estimated and are subject to each state's approval and credit rounding rules. Please visit the program website at ambar.org/atspring for CLE details or visit www.americanbar.org/mcle for general information on CLE at the ABA.

Florida Bar regulators have stated that attorneys will not receive Florida credit for any ABA program, even if they self-apply

Scholarship Information: Financial scholarship applications to defray the cost of registration costs are available for this conference. To request an application or receive additional information, please reach out to us at the following email: at-registrar@americanbar.org

COVID-19 In-Person Meeting Statement and Affirmations

The ABA takes the health and safety of our members, guests, and staff seriously. We know that the decision whether to attend a meeting is based upon a variety of personal and business considerations. We will continue to monitor a variety of sources, including the U.S. Centers for Disease Control and Prevention (CDC) and U.S. state and local health authorities for the latest public health updates, as well as applicable restrictions on events and gatherings. The ABA plans to hold this meeting in person but reserves the right to cancel or reschedule this event or convert it to a virtual event if health and safety restrictions require it. We will update the registrants and the website should the plans for this event change.



As part of the registration process to hold this ABA meeting in person, every attendee is required to affirm his/her commitment to comply with the in-person meeting guidelines. Please review the requirements carefully prior to registering for the meeting. You will be asked to accept the following affirmations during the registration process:

- If I register for and attend the meeting in person, I affirm that I am up to date on my COVID vaccinations, as defined by the Centers for Disease Control and Prevention (“CDC”) or have taken a negative COVID test within 3 days of my arrival at the meeting.
- If I bring a guest to the in-person meeting, including minors under the age of 18, I understand that my guest must affirm full vaccination or negative COVID test taken within 3 days of the guest’s arrival at the meeting.
- By registering for and attending the meeting in person, I affirm that I will comply with all CDC, federal, state, local, and venue-specific laws, orders, directives, and guidelines related to COVID appropriate to my particular health status. I affirm that I will follow any more stringent state, local, or venue requirements related to hand sanitation, social distancing, and use of face coverings in place at the location of the meeting.
- If I attend the meeting in person, I will also follow all travel restrictions in place at the location of the meeting and my point of origin at the time of the meeting.
- I will not attend the meeting in person if, within the last ten (10) full days of the meeting, I have tested positive for COVID, am experiencing symptoms of COVID, or have been in close contact with someone who has COVID.
- If at any time during the meeting I begin to experience symptoms of COVID, or am in contact with someone experiencing symptoms, I will immediately leave the meeting and inform the ABA. If I test positive for COVID within 10 days after the meeting, I will inform the ABA. The requirements in this affirmation also apply to any guest(s) or minor(s) attending the meeting with me.
- If I attend the meeting in person, I understand that my guests, including minors under the age of 18, and I may be required to complete health screening questions after arrival at the meeting to access ABA meeting and event spaces.

QUESTIONS? Please contact ABA Antitrust Meetings at-meeting@americanbar.org