

# 72<sup>nd</sup> Antitrust Law SPRING MEETING

April 10–12, 2024  
Washington, DC



Agenda Updates as of March 12

## TUESDAY, APRIL 9

**3:00–8:00 PM**

### REGISTRATION | CLE SIGN-IN

MEZZANINE

Registration will be one level above the lobby. Badges will be required to access the conference meeting space. Individuals on conference floors without 2024 Spring Meeting badges will be billed for Spring attendance.

**3:00–4:30 PM**

### PATHWAYS TO LEADERSHIP (non-CLE)

M1: GEORGETOWN

*Presented by the Diversity, Advanced and Membership Committees and Young Lawyers Task Force*

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

Brian R. HENRY, General Counsel, North America & Global Customers, The Coca-Cola Company, Atlanta, GA

SPEAKERS

- Brian K. GRUBE, Jones Day, Cleveland, OH
- Jeremy A. GUNN, Bass Berry & Sims PLC, Nashville, TN
- Rosanna LIPSCOMB, Director, Google Inc., Mountain View, CA
- Lucia OJEDA CARDENAS, SAI Derecho & Economia, Mexico City

**4:30–5:30 PM**

### YOUNG PROFESSIONALS' HAPPY HOUR

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 professionals, and the Leadership of the Membership and the Young Lawyers Task Force.

**5:30–6:30 PM**

### DIVERSITY HAPPY HOUR

LOBBY LEVEL

Please join the Section Diversity, Advanced and Women, Connected Committees as we gather to celebrate diversity within the profession.

**5:30–7:00 PM**

### COCKTAILS FOR CONSUMER PROTECTION PARTY

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

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, APRIL 10

**7:00AM–5:30 PM**

### REGISTRATION OPEN

MEZZANINE

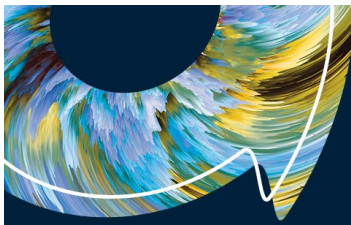
### CLE SIGN-IN KIOSKS

M1 | M2 | M4: Archives

**7:30AM 5:30 PM**

### BOOKSTORE & COFFEE SHOP OPEN

M4: ARCHIVES



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## WEDNESDAY, APRIL 10

### 7:30–8:45 AM

#### COFFEE CONVERSATIONS

Start your day right! Grab a cup of coffee and network with diverse antitrust professionals, law students and allies. 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.

7:30–8:00 AM

FRIENDS OF BILL

M3: CHINATOWN

8:00–8:45 AM

CAREER CONVERSATIONS

M4: SUPREME COURT

8:00–8:45 AM

DIVERSITY DIALOGUES: Black and AAPI Squads

M1: GEORGETOWN

### 8:15–10:15 AM

#### ANTITRUST ETHICS: OLD AND NEW ISSUES

M2: SALONS 12 & 13

*Presented by the Compliance & Ethics, Mergers & Acquisitions, and Trial Practice Committees*

Antitrust can be a minefield of ethical problems: When can you interview former employees of adversaries? Can you represent all company employees? How can you use covert operations to gather evidence? Is attorney-client privilege overused? Are there special conflict issues with mergers? Can you just copy from ChatGPT and plagiarize other briefs? We will answer these and other questions that often arise.

SESSION CHAIR/MODERATOR

Layne E. KRUSE, Norton Rose Fulbright LLP, Houston, TX

SPEAKERS

- Dee BANSAL, Cooley LLP, Washington, DC
- Patricia A. CONNERS, Stearns Weaver Miller, Tallahassee, FL
- Dolores DORSAINVIL, Associate Judge, District Court of Maryland, District 5, Prince George's Court, Baltimore, MD
- Stephanie PEARL, Trial Attorney, U.S. Department of Justice, Antitrust Division, Washington, DC

### 9:00–10:15 AM

#### CONCURRENT CLE SESSIONS

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

M4: SALONS I–P

*Presented by the Federal Civil Enforcement Committee*

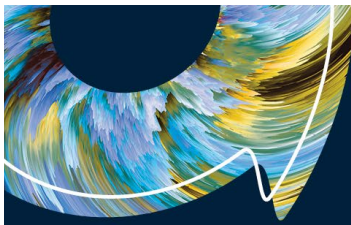
Hear from DOJ Deputy Assistant Attorneys General to learn the latest in civil enforcement, cartel cases, and policy initiatives.

SESSION CHAIR/MODERATOR

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

SPEAKERS

- Susan ATHEY, Chief Economist, U.S. Department of Justice, Antitrust Division, Washington, DC
- Hetal J. DOSHI, 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
- Manish KUMAR, Deputy Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
- Doha G. MEKKI, Principal Deputy Assistant Attorney, U.S. Department of Justice, Antitrust Division, Washington, DC



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## DO NON-COMPETES CAUSE MORE HARM THAN GOOD?

M4: SALONS A–D

*Presented by the Diversity, Advanced, Economics, and Women.Connected Committees*

The FTC's proposed ban on non-compete clauses ignited a debate on their impact on the workforce and the legal implications of the FTC proposal. Who is harmed by non-competes and in what ways? And when do they legitimately protect employer investments and procompetitive outcomes?

SESSION CHAIR/MODERATOR

SPEAKERS

- Adam DI VINCENZO, Milbank LLP, New York, NY
- Svetlana S. GANS, Gibson Dunn & Crutcher LLP, Washington, DC
- Sean HEATHER, Director of Global Employment Policy & Special Initiatives, U.S. Chamber of Commerce, Washington, DC
- Evan P. STARR, University of Maryland, Robert H. Smith School of Business, College Park, MD

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## DON'T TRY THEM UNTIL YOU MOCK THEM

M2: SALONS 7 & 8

*Presented by the Global Private Litigation and Trial Practice Committees*

More antitrust cases are going the distance, and the stakes are high. Do you know how to distill your case to key themes and make it understandable and compelling to jurors? What can you test in jury research? When should you do a mock trial and how do you interpret the results? And what the heck is a "clopening" anyway? Hear what experience has taught us and see trial themes developed live.

SESSION CHAIR/MODERATOR

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

SPEAKERS

- Sonia CHOPRA, Chopra Koonan, Oakland, CA
- Rakesh KILARU, Wilkinson Stekloff LLP, Washington, DC
- Jill M. MANNING, Pearson Warshaw LLP, San Francisco, CA
- Jennifer MILICI, WilmerHale, Washington, DC

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## FROM FARM TO TABLE: DEALING WITH DISTRIBUTORS

M4: SALONS E–H

*Presented by the Corporate Counseling Committee*

With increased attention on exchanges of sensitive information, in addition to renewed debates on exclusivity agreements, companies that depend on distributorships are looking for guidance on how to steer clear of potential enforcement actions. When it comes to public procurement, concerns get even more complex. How can companies navigate these intricate issues and how should they regulate their relationship with distributors to effectively respond to all of these concerns?

SESSION CHAIR/MODERATOR

Eduardo FRADE, Mattos Filho, Brasilia

SPEAKERS

- Angélique de BROUSSE, Head of Competition Law and Policy, Johnson & Johnson, Brussels
- Daniel P. CULLEY, Cleary Gottlieb Steen & Hamilton LLP, Washington, DC
- Strati SAKELLARIOU-WITT, White & Case LLP, Brussels

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## FUNDAMENTALS—CONSUMER PROTECTION

M3: SHAW | LEDROIT

*Presented by the Consumer Protection Committee*

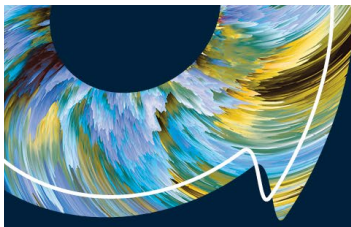
Representing a variety of perspectives, this session will provide an introduction to consumer protection law, including privacy, data security, and advertising and marketing law.

SESSION CHAIR/MODERATOR

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

SPEAKERS

- Katherine ARMSTRONG, Deputy Director, National Advertising Division, BBB National Programs, Washington, DC
- Kaelyne Y. WIETELMAN, Venable LLP, Washington, DC
- Caiti ZEYTOONIAN, Morgan Lewis & Bockius LLP, Boston, MA
- Cobun ZWEIFEL-KEEGAN, Managing Director, International Association of Privacy Professionals, Washington, DC



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## 6 HOW DOES MERGER REVIEW REFORM IMPACT COMPLIANCE?

M2: SALONS 1-4

*Presented by the Compliance & Ethics and Corporate Counseling Committees*

Proposed changes to the HSR filing guidelines and the first major revision to the U.S. merger guidelines in 13 years have repercussions for companies even long before they are considering a possible transaction. And after closing, consider benefits from the DOJ's new M&A safe harbor policy. What do the changes mean more broadly for business leaders and their organizations? What are the implications for conduct counseling and in-house compliance programs?

SESSION CHAIR/MODERATOR

Sarah FLANAGAN, Associate General Counsel, Director of Antitrust Compliance and Americas Compliance, Intel Corporation, Portland, OR

SPEAKERS

- Andrew C. FINCH, Paul Weiss Rifkind Wharton & Garrison LLP, New York, NY
- Mika IKEDA, Senior Counsel, Competition Law, Johnson & Johnson, Washington, DC
- Suzanne MORRIS, Deputy Director, Civil Enforcement, US Department of Justice, Antitrust Division, Washington, DC
- Tiffany RIDER, Axinn Veltrop & Harkrider LLP, Washington, DC

## 7 ON TO OVERTIME? DEVELOPMENTS IN SPORTS ANTITRUST

M2: SALONS 9 & 10

*Presented by the Trade, Sports & Professional Associations Committee*

The past year saw extensive antitrust activity in the sports world. Even non-golf fans likely took note of the merger announced by the PGA Tour and LIV Golf (and subsequent dismissal of the heated antitrust litigation between them), which caused antitrust concern from the Hill and led to a DOJ investigation. Meanwhile, private litigants sought to leverage the Supreme Court's decision in *Alston* by challenging the Ivy League prohibition on sports scholarships and NCAA volunteer coach policies. We explore the key cases and discuss what may be next.

SESSION CHAIR/MODERATOR

Derek LUDWIN, Covington & Burling LLP, Washington, DC

SPEAKERS

- Jodi S. BALSAM, Brooklyn Law School, Brooklyn, NY
- James H. CONGDON, Trial Attorney, U.S. Department of Justice, Antitrust Division, Washington, DC
- Gabriel FELDMAN, Tulane Law School, New Orleans, LA
- Christopher WILSON, Baker Botts LLP, Washington, DC

## 8 THE PRICE IS RIGHT (OR IS IT?)

M4: CAPITOL | CONGRESS

*Presented by the Advertising Disputes & Litigation, Consumer Protection, and Privacy & Information Security Committees*

Regulators and plaintiffs continue targeting pricing and disclosure practices studied extensively by economists and marketers, including "junk fees," automatic renewals and negative option plans, and the use of "dark patterns." The panel will discuss U.S. and international laws governing these practices, enforcement and litigation trends and debates over economic methods used to analyze such practices.

SESSION CHAIR/MODERATOR

Ceren CANAL ARUOBA, Cornerstone Research, Washington, DC

SPEAKERS

- Jeroen KORTMANN, Stibbe, Amsterdam
- Alysha MANJI-KNIGHT, Davies Ward Phillips & Vineberg LLP, Toronto
- Donnelly L. MCDOWELL, Kelley Drye & Warren LLP, Washington, DC
- Malini MITHAL, Associate Director, Division of Financial Practices, Federal Trade Commission, Washington, DC

## 10:15-11:00 AM

### FIRESIDE CHAT (NON-CLE)

M4: TREASURY

INTERVIEWER

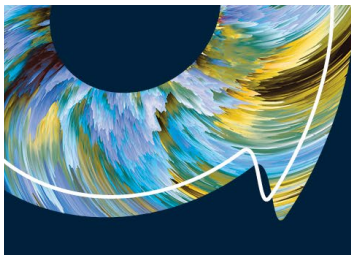
Ted VOORHEES, Covington & Burling LLP, Washington, DC

SPEAKERS

- Camila Cabral Pires ALVES, Commissioner, CADE, Brasilia
- Jorge GRUNBERG, Fiscalía Nacional Económica, Santiago
- Danielle KINEIPP DE SOUZA, Antitrust Coordinator, CADE, Brasilia

## 10:45 AM-NOON

### CONCURRENT SESSIONS



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## AI-POWERED MODELS AND ADVERTISING IN THE SPOTLIGHT

M4: CAPITOL | CONGRESS

*Presented by the Advertising Disputes & Litigation, Consumer Protection, and Privacy & Information Security Committees*

Firms are increasingly using generative AI tools to create more personalized and contextualized ad experiences to influence consumer behavior, which enforcers have warned could be a deceptive or unfair practice. What are the consequences of algorithmic bias in AI-driven models? Who is legally responsible? How should disruptive generative AI advancements be weighed against ethical considerations?

### SESSION CHAIR/MODERATOR

Anne Catherine FAYE, Analysis Group, Boston, MA

### SPEAKERS

- Mark W. BRENNAN, Hogan Lovells LLP, Washington, DC
- Tiffany A. GEORGE, Assistant Director, Privacy & Identity Protection, Federal Trade Commission, Washington, DC
- Ben ROSSEN, Associate General Counsel, OpenAI, Washington, DC
- Nicol TURNER LEE, The Brookings Institution, Washington, DC

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## AIRLINE MERGERS: FLYING HIGH OR FLYING BLIND?

M2: SALONS 12 & 13

*Presented by the Federal Civil Enforcement and Transportation & Energy Industries Committees*

Airline deals have experienced some turbulence in the past year. The DOJ successfully blocked the Northeast Alliance, a joint venture between American Airlines and JetBlue, and challenged JetBlue's acquisition of Spirit. What are the implications for the airline industry and, more broadly, the transportation industry? What do these cases mean for merger enforcement and competitor collaborations?

### SESSION CHAIR/MODERATOR

Grant A. BERMANN, Milbank LLP, Washington, DC

### SPEAKERS

- Kathleen BRADISH, American Antitrust Institute, Vienna, VA
- Patricia C. CORCORAN, Acting Chief, Transportation, Energy & Agriculture Section, U.S. Department of Justice, Antitrust Division, Washington, DC
- David I. GELFAND, Cleary Gottlieb Steen & Hamilton LLP, Washington, DC
- Eytayo ST. MATTHEW-DANIEL, Paul Weiss, New York, NY

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## ATTACKING AND DEFENDING HEALTHCARE MERGERS

M4: SALONS A–D

*Presented by the Healthcare & Pharmaceuticals Committee*

Amgen-Horizon, Illumina-Grail, and hospital mergers involving cross-market and labor issues show that the antitrust agencies are investigating and challenging healthcare transactions on a wide variety of theories. But transactions like Amazon-One Medical and CVS-Signify Health have successfully weathered agency scrutiny. This panel will examine concerns with and strategies for overcoming challenges to modern healthcare mergers.

### SESSION CHAIR/MODERATOR

Leigh OLIVER, Clifford Chance LLP, Washington, DC

### SPEAKERS

- Jordan ANDREW, Deputy Assistant Director, Mergers 1 Division, Federal Trade Commission, Washington, DC
- Alicia J. BATTS, Faegre Drinker Biddle & Reath LLP, Washington, DC
- Katrina ROUSE, Trial Attorney, U.S. Department of Justice, Antitrust Division, San Francisco, CA
- Daniel K. ZACH, Cravath Swaine & Moore LLP, New York, NY

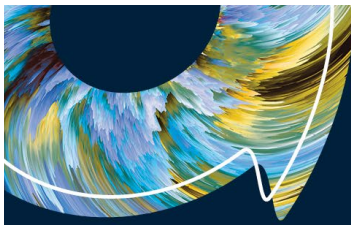
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## BIG DATA IN THE AGE OF AI

M4: SALONS E–H

*Presented by the International Comments & Policy Committee and the Artificial Intelligence Task Force*

When it comes to AI and Big Data, antitrust authorities are not willing to apply traditional safe harbors for sharing of competitively sensitive information. The rapidly expanding use of AI to analyze and share data raises new opportunities and risks. The EU's DG COMP and the UK's CMA are modernizing their guidance. Will the U.S., China and others respond?



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## SESSION CHAIR/MODERATOR

James R. MODRALL, Norton Rose Fulbright LLP, Brussels

## SPEAKERS

- Maria COPPOLA, Director, Office of International Affairs, Federal Trade Commission, Washington, DC
- William HAYTER, Executive Director, Digital Markets Unit, Competition and Markets Authority, London
- Mark M. MACCARTHY, Communication, Culture & Technology Program in the Graduate School at Georgetown University, Washington, DC
- Fay ZHOU, Linklaters LLP, Beijing

## 5

### EFFECTIVE LITIGATION STRATEGIES IN MONOPOLIZATION CASES

M2: SALONS 7 & 8

*Presented by the Civil Practice & Procedure, Global Private Litigation, and Trial Practice Committees*

Amidst clarion calls of “break them up,” we hear household-name defendants say “we did nothing wrong, our products are free and competition and innovation are fierce.” How do parties build and prosecute effective and persuasive trial themes, and how do they make their narratives resonate? What notional facts are they looking for? What roles do facts and experts play? What is the role of testing?

## SESSION CHAIR/MODERATOR

Ian SIMMONS, O’Melveny & Myers LLP, Washington, DC

## SPEAKERS

- Steven F. BENZ, Kellogg Hansen Todd Figel & Frederick PLLC, Washington, DC
- Tara L. REINHART, Skadden Arps Slate Meagher & Flom LLP, Washington, DC
- Sharon K. ROBERTSON, Cohen Milstein Sellers & Toll PLLC, New York, NY
- Kalpana SRINIVASAN, Susman Godfrey LLP, Los Angeles, CA

## 6

### 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

Matthew D. KENT, Alston & Bird LLP, Atlanta, GA

## SPEAKERS

- Wade LIPPARD, Staff Attorney, Federal Trade Commission, Washington, DC
- Micah MOON, Senior Corporate Counsel-Antitrust, Delta Airlines, Atlanta, GA
- Okeoghene ODUDU, University of Cambridge, Cambridge
- Estefania TORRES PAEZ, Assistant Attorney General, Office of the Attorney General for the District of Columbia, Washington, DC

## 7

### GLOBAL PRIVATE LITIGATION IN THE DIGITAL ECONOMY

M2: SALONS 1–4

*Presented by the Global Private Litigation and State Enforcement Committees*

FAAMG, Alibaba, Tencent, Meituan, Netflix and other tech giants have been in the antitrust crosshairs. Beyond government enforcement and regulation, global private litigation against digital platforms has also been on the rise. What antitrust claims have been brought globally and what have the courts ruled? Practitioners and economists will discuss these recent decisions and their implications.

## SESSION CHAIR/MODERATOR

Mark H. HAMER, Baker McKenzie LLP, Washington, DC

## SPEAKERS

- Gary A. BORNSTEIN, Cravath Swaine & Moore LLP, New York, NY
- Maureen OHLHAUSEN, Wilson Sonsini Goodrich & Rosati, Washington, DC
- Miguel RATO, Quinn Emanuel Urquhart & Sullivan LLP, Brussels
- Vanessa Y. ZHANG, Compass Lexecon, New York, NY and Beijing

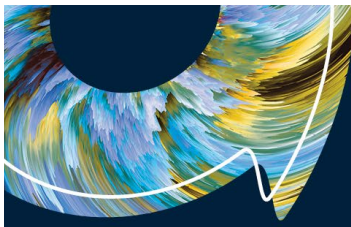
## 8

### THE FIX IS IN?

M2: SALONS 9 & 10

*Presented by the Podcast Programming Committee*

Formal remedy agreements with the federal antitrust agencies are at a historic low. Do fewer remedy agreements hamper or help the agencies’ enforcement mission? Importantly, how can parties navigate this perceived distaste for remedies by the agencies? What are the international implications?



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## SESSION CHAIR/MODERATOR

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

## SPEAKERS

- Ryan J. DANKS, Director of Civil Enforcement, U.S. Department of Justice, Antitrust Division, Washington, DC
- Ashley HOWLETT, Hogan Lovells (US) LLP, Washington, DC
- Diana L. MOSS, Progressive Policy Institute, Denver, CO
- Rahul RAO, Deputy Director, Bureau of Competition, Federal Trade Commission, Washington, DC

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## VIEWS FROM THE BENCH

M4: SALONS I–P

*Presented by the Trial Practice Committee*

Antitrust, consumer protection and privacy litigation involves dynamic facts and complex economic evidence. Join this panel of experienced judges to discuss how they approach and manage these types of cases.

## SESSION CHAIR/MODERATOR

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

## SPEAKERS

- The Hon. Denise COTE, U.S. District Judge, U.S. District Court for the Southern District of New York, New York, NY
- The Hon. Daniel D. CRABTREE, U.S. District Judge, U.S. District Court for the District of Kansas, Kansas City, KS
- The Hon. Edward J. DAVILA, U.S. District Judge, U.S. District Court for the Northern District of California, San Jose, CA
- The Hon. Philip S. GUTIERREZ, U.S. Chief District Judge, U.S. District Court for the Central District of California, Los Angeles, CA
- The Hon. Susan ILLSTON, U.S. District Judge, U.S. District Court for the Northern District of California, San Francisco, CA
- The Hon. Amy ST. EVE, U.S. Circuit Judge, U.S. Court of Appeals for the Seventh Circuit, Chicago, IL
- The Hon. Lindsey VAALA, U.S. Magistrate Judge, U.S. District Court for the Eastern District of Virginia, Alexandria, VA

**11:00–11:45 AM**

## FIRESIDE CHAT (NON-CLE)

M4: TREASURY

INTERVIEWER

TBD

## SPEAKERS

- Matthew BOSWELL, Commissioner of Competition, Competition Bureau Canada, Ottawa

**NOON–1:30 PM**

## SPRING MEETING LUNCHEON: WOMEN AT THE TOP

M2: MARQUIS BALLROOM

*Ticketed Event – Non-CLE*

## MODERATOR

Zarema A. JARAMILLO, Lowenstein Sandler LLP, Washington, DC

## SPEAKERS

- Camila Cabral Pires ALVES, Commissioner, Conselho Administrativo De Defesa Economica (CADE), CADE, Brasilia
- Alpha BRADY, Executive Director, American Bar Association, Chicago, IL
- Liza CARVER, Commissioner, Australian Competition and Consumer Commission (ACCC), Sydney
- Ellen CREIGHTON, Assistant Deputy Commissioner, International Affairs Directorate, Gatineau
- Cani FERNANDEZ, President, Spanish Competition Authority (CNMC), Madrid

**1:45–3:15 PM**

## CONCURRENT SESSIONS

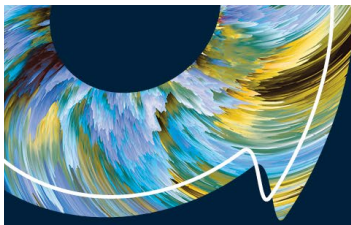
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## ANTITRUST AND ENVIRONMENTAL JUSTICE: FRIENDS OR FOES?

M4: SALONS E–F

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

The serious threat of climate change is pushing firms to consider a range of initiatives, which could adversely affect competition but promote sustainability and environmental justice. Federal



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and state regulators have raised antitrust concerns with those competitor collaborations. Can antitrust laws be deployed to promote environmental justice for overburdened communities?

## SESSION CHAIR/MODERATOR

Puja PATEL, Allen & Overy LLP, Washington, DC

## SPEAKERS

- Robin MORRIS COLLIN, Senior Advisor to the Administrator for Environmental Justice, Environmental Protection Agency, Washington, DC
- Morgan HARPER, American Economic Liberties Project, Columbus, OH
- Synda MARK, Deputy Assistant Director, Office of Policy & Coordination, Federal Trade Commission, Washington, DC
- David J. SHAW, Morrison & Foerster LLP, Washington, DC

## 2

### FUNDAMENTALS—ECONOMICS

M3: SHAW | LEDROIT

*Presented by the Economics Committee*

Back-to-basics without being basic. With the best and brightest economic faculty as our guide, this session will make the fundamentals of antitrust economics accessible, practical, and—most of all—fun!

## SESSION CHAIR/MODERATOR

Craig D. MINERVA, Axinn Veltrop & Harkrider LLP, Washington, DC

## SPEAKERS

- Fei DENG, Vice President, Charles River Associates, Oakland, CA
- Kate FORMAN, NERA Economic Consulting, Toronto, CA
- Robert MANESS, Coherent Economics, College Station, TX
- Daniela H. SABAN, Stanford University Graduate School of Business, Palo Alto, CA

## 3

### LITIGATING AI & GAI: CHALLENGES FOR ATTORNEYS AND JUDGES

M2: SALONS 1–4

*Presented by the Federal Civil Enforcement Committee and Judicial Advisory Board*

Artificial intelligence and Generative artificial intelligence (GAI) are now the subjects of government investigations and civil actions. GAI is expected to raise issues involving the scope of discovery, confidentiality, and admissibility, and may be the subject of expert opinions and evidentiary challenges. This presentation will address these issues as attorneys, experts, and judges grapple with GAI.

## SESSION CHAIR/MODERATOR

The Hon. Richard BOULWARE, U.S. District Judge, U.S. District Court for the District of Nevada, Las Vegas, NV

## SPEAKERS

- The Hon. J. Michelle CHILDS, U.S. Circuit Judge, U.S. Circuit Court of Appeals for the DC Circuit, Washington, DC
- Ronald J. HEDGES, Ronald J. Hedges LLC, Hackensack, NJ
- Ilana KATTAN, Hogan Lovells (US) LLP, Washington, DC

## 4

### MAKING YOUR PITCH TO THE GOVERNMENT

M4: SALONS M–P

*Presented by the Cartel & Criminal Practice, Federal Civil Enforcement, and State Enforcement Committees*

This panel will consider the most effective methods, strategies, and arguments for making corporate and individual resolution pitches to the government in civil and criminal matters, areas to navigate, and traps to avoid.

## SESSION CHAIR/MODERATOR

Eric LIPMAN, Director, Litigation & Global Competition, Uber Technologies Inc, New York, NY

## SPEAKERS

- D. Jarrett ARP, Davis Polk & Wardwell LLP, Washington, DC
- Sean FARRELL, Chief, New York Office, U.S. Department of Justice, Antitrust Division, New York, NY
- Adam C. HEMLOCK, Weil Gotshal & Manges LLP, New York, NY
- Elinor R. HOFFMANN, Chief, Antitrust Bureau, Office of the New York State Attorney General, New York, NY

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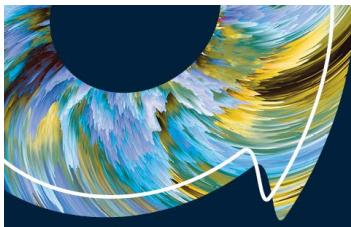
### NAVIGATING GLOBAL CLASS CERTIFICATION STANDARDS

M2: SALONS 7 & 8

*Presented by the Global Private Litigation Committee*

Join our examination of the evolution and state of antitrust class actions around the world. We will address important recent cases in key jurisdictions, the Representative Actions Directive in the EU, and the use of abuse of dominance theories to support class certification.





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## SESSION CHAIR/MODERATOR

John D. GRAUBERT, Covington & Burling LLP, Washington, DC

## SPEAKERS

- Davit D. AKMAN, Cassels Brock & Blackwell LLP, Toronto
- Kim DIETZEL, Herbert Smith Freehills LLP, London
- Eric GRANNON, White & Case LLP, Washington, DC
- Anna MORFEY, Ashurst LLP, London

## 6

### NIL AFTER ALSTON: WILD WEST?

M2: SALONS 12 & 13

*Presented by the Exemptions & Immunities and Trade, Sports & Professional Associations Committees*

*Alston and O'Bannon helped open up a market for college athletes' names, images, and likenesses that did not exist 10 years ago. This panel will explore how college athletes, universities, and conferences are navigating the antitrust implications of group licensing, transfers, and recruiting in the NIL era.*

## SESSION CHAIR/MODERATOR

Stephen M. MEDLOCK, Vinson & Elkins LLP, Washington, DC

## SPEAKERS

- Helen DOOLEY, Tandem Sport & Entertainment, Arlington, VA
- Ronald B. GAITHER, Jr, Baker & Hosteler LLP, Atlanta, GA
- Anil GOLLAHALLI, Chief Legal Officer and General Counsel, Big Ten Conference Inc., Chicago, IL
- Sathya S. GOSSELIN, Hausfeld LLP, Washington, DC

## 7

### PRIVACY MODELS IN A SURVEILLANCE ERA

M4: CAPITOL | CONGRESS

*Presented by the Consumer Protection and Privacy & Information Security Committees*

*It has been 25 years since the FTC brought its first online privacy case, 5 years since GDPR was enacted, and one year since many state privacy laws came into effect. Join us as we compare and contrast privacy regulation models of the past and future, from notice and choice to harm-based frameworks, to accountability frameworks, to a "duty of loyalty."*

## SESSION CHAIR/MODERATOR

Maneesha MITHAL, Wilson Sonsini Goodrich & Rosati, Washington, DC

## SPEAKERS

- Howard BEALES, George Washington University Law School, Washington, DC
- Manmeet DHINDSA, Attorney, Federal Trade Commission, Washington, DC
- Joe JONES, Director, Research & Insights, International Association of Privacy Professionals, Washington, DC
- Daniel J. SOLOVE, George Washington University Law School, Washington, DC

## 8

### THE AGE OF UNPREDICTABILITY IN MERGER REVIEW?

M2: SALONS 9 & 10

*Presented by the Antitrust Law Journal and Antitrust Magazine Committees*

*International merger control and FDI review is becoming increasingly unpredictable due to several factors, including expansive approaches to jurisdiction, tougher approaches on the law and economics, and changing guidelines and enforcement priorities. The panel will discuss what this means for merging parties and debate whether the uncertainty is good for competition and consumers.*

## SESSION CHAIR/MODERATOR

Anna LYLE-SMYTHE, Slaughter and May, Brussels

## SPEAKERS

- Guillaume LORIOT, Deputy Director-General Mergers, European Commission, DG Competition, Brussels
- Sorcha O'CARROLL, Senior Director-Mergers, Competition and Markets Authority, London
- Meghan RISSMILLER, Freshfields Bruckhaus Deringer LLP, Washington, DC
- Jürgen SCHINDLER, Davis Polk & Wardwell LLP, Brussels

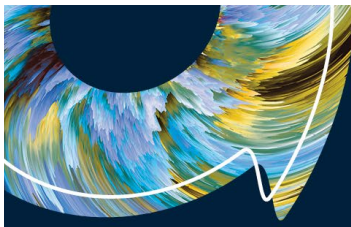
## 9

### THE MACHINERY OF MAKING MODERN MUSIC

M4: SALONS I-L

*Presented by the Intellectual Property and Media & Technology Committees*

*The aging regulatory framework that covers the licensing of music has adapted to the rapid shift to streaming. But has it struck the appropriate balance between potential market power on the part of labels and publishers on the one hand and streaming platforms on the other? Panelists will explore the state of competition and regulation in music streaming, with attendees*



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weighing in via polls.

#### SESSION CHAIR/MODERATOR

Eric R. EMCH, Bates White Economic Consulting, Washington, DC

#### SPEAKERS

- Jonathan AITKEN, General Counsel, PRS for Music, London
- Brittany AMADI, WilmerHale, Washington, DC
- Jacob B. EBIN, Mayer Brown LLP, New York, NY
- Benjamin K. SEMEL, Pryor Cashman LLP, New York, NY

## 10

### THE NEW, NEW, WAVE: COMPETITION POLICY INTERRUPTED?

M4: SALONS A–D

*Presented by Federal Civil Enforcement and Mergers & Acquisitions Committees*

FTC efforts to transform antitrust policy echo similar attempts in the 70's and early 80's to pursue "competition policy in its broadest sense." These advances saw wide backlash and 40 years of enforcement policy that the current administration has described as a "failed experiment." As to merger enforcement, will current leadership finish what FTC Chair Pertschuk started, or will history repeat itself?

#### SESSION CHAIR/MODERATOR

Carla A.R. HINE, Weil Gotshal & Manges LLP, Washington, DC

#### SPEAKERS

- Alicia BURNS-WRIGHT, Competition Policy Counsel, TikTok, Washington, DC
- Laura PHILLIPS SAWYER, University of Georgia School of Law, Athens, GA
- D. Daniel SOKOL, USC Gould School of Law, Los Angeles, CA
- Evan TURNAGE, Chief Counsel, Office of U.S. Senate Majority Leader Charles E. Schumer, Washington, DC

## 2:00–2:45 PM

### FIRESIDE CHAT (NON-CLE)

M4: TREASURY

#### INTERVIEWER

Christopher HOCKETT, Hockett ADR Services, San Francisco, CA

#### SPEAKERS

- Liza CARVER, Commissioner, ACCC, Sydney
- Andrew RISELEY, General Counsel, General Manager, Legal Services, Commerce Commission, Wellington

## 3:00–3:45 PM

### FIRESIDE CHAT (NON-CLE)

M4: TREASURY

#### INTERVIEWER

Ilene GOTTS, Wachtell, Lipton, Rosen & Katz, New York, NY

#### SPEAKERS

- Una BUTLER, Competition and Consumer Protection Commission, Dublin

## 3:30–5:00 PM

### CONCURRENT SESSIONS

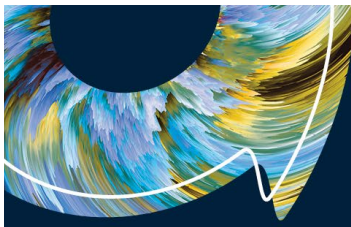
## 1

### ASIA-PACIFIC ENFORCERS: POST-PANDEMIC UPDATE

M2: SALONS 1–4

*Presented by the International and International Comments & Policy Committees*

Despite pandemic lockdowns, competition enforcement in Asia-Pacific never missed a beat. Dive into the dynamic world of Asia-Pacific competition enforcement. Come listen to leading agency enforcers to stay ahead with the latest enforcement developments and priorities in the region.



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## SESSION CHAIR/MODERATOR

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

## SPEAKERS

- Reiko AOKI, Commissioner, Japan Fair Trade Commission, Tokyo
- Samuel CHAN, Chairman, Hong Kong Competition Commission, Hong Kong
- Christian Loren B. DE LOS SANTOS, Commissioner, Philippine Competition Commission, Philippines
- Lefu XU, Director General, State Administration for Market Regulation (SAMR), Beijing

## 2

### DRUG WARS: PHARMA ECOSYSTEM FEELS AGENCY HEAT

M4: SALONS A–D

*Presented by the Antitrust Law Journal, Federal Civil Enforcement, and Healthcare & Pharmaceuticals Committees*

From the FTC's investigation into PBMs, to the DOJ's generic drug criminal investigation, to the FTC's challenge of the Amgen-Horizon deal, U.S. antitrust agencies have the pharma ecosystem in their crosshairs...and antitrust enforcers in Europe are bringing challenges for excessive pricing, etc. While antitrust scrutiny of the pharma world isn't new, the expanded scope of risk is noteworthy. We will discuss how we got here, where we're going, and how to stay on the right side.

## SESSION CHAIR/MODERATOR

Michael A. CARRIER, Rutgers University School of Law, Camden, NJ

## SPEAKERS

- Adam M. ACOSTA, White & Case LLP, Washington, DC
- William J. BLECHMAN, Kenny Nachwalter PA, Miami, FL
- Andrew BLUMBERG, Senior Counsel, Antitrust, McKesson Corporation, Dallas, TX
- Catherine SANCHEZ, Attorney Advisor to Commissioner Alvaro Bedoya, Federal Trade Commission, Washington, DC

## 3

### FAILURE TO COMMUNICATE? IMPROVING EXPERT TESTIMONY

M2: SALONS 7 & 8

*Presented by the Economics and Trial Practice Committees*

In response to a call by esteemed judges to revisit the current approach to presenting expert testimony in the courtroom and to regulators, this roundtable will explore what strategies can be applied to enhance the clarity and persuasiveness of expert testimony and presentations.

## SESSION CHAIR/MODERATOR

Kristof ZETENYI, Analysis Group, Los Angeles, CA

## SPEAKERS

- Swathi BOJEDLA, Hausfeld LLP, Washington, DC
- Leah BRANNON, Cleary Gottlieb Steen & Hamilton LLP, Washington, DC
- Aditi MEHTA, Economist, U.S. Department of Justice, Antitrust Division, Washington, DC
- Cynthia RICHMAN, Gibson Dunn & Crutcher LLP, Washington, DC

## 4

### FUNDAMENTALS – ANTITRUST AND IP

M3: SHAW | LEDROIT

*Presented by the Intellectual Property Committee*

Providing an introduction to key concepts in the intersection of IP and antitrust, this program will examine 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/SPEAKER

Andrew J. TUCK, Alston & Bird LLP, Atlanta, GA

## MODERATOR

Meiran YIN, Latham & Watkins LLP, San Francisco, CA

## SPEAKERS

- David EMANUELSON, Arnold & Porter Kaye Scholer LLP, Washington, DC
- Kirti GUPTA, Cornerstone Research, San Francisco, CA
- Su SUN, Secretariat Advisors, Washington, DC

## 5

### GLOBAL BIG TECH ENFORCEMENT AND IMPACT

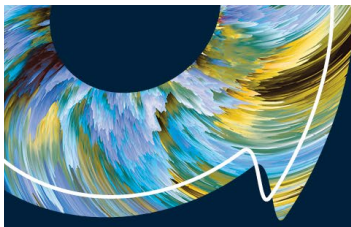
M2: SALONS 12 & 13

*Presented by the State Enforcement and Unilateral Conduct Committees*

With multiple big tech cases in active litigation and investigations around the globe, how have the tech companies fared against more "aggressive" government theories of harm? How have these challenges fared in court and before other decision-makers? Hear about the status of these cases and their policy considerations.

## SESSION CHAIR

Alysha PANNU, Osler Hoskin & Harcourt LLP, Toronto



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## MODERATOR

Beatriz MARQUES, Assistant Attorney General, Antitrust Bureau, Office of the New York State Attorney General, New York, NY

## SPEAKERS

- Nicholas BANASEVIC, Gibson Dunn & Crutcher LLP, Brussels
- Cristina CAFFARRA, CEPR - Centre for Economic Policy Research, London
- Daniel S. GUARNERA, Section Chief, Civil Conduct Task Force, U.S. Department of Justice, Antitrust Division, Washington, DC
- Ricardo WOOLERY, Attorney Advisor, Federal Trade Commission, Washington, DC

## 6

### MASS ARBITRATION MEETS ANTITRUST — AND MORE

M4: SALONS E-H

*Presented by the Global Private Litigation Committee*

Antitrust arbitrations are being reshaped in the U.S., Europe and Canada, and exciting new approaches such as "mass" arbitrations initiated by hundreds of thousands of claimants asserting Sherman Act violations. Be cautious the next time a client wishes to enforce its mandatory arbitration/no class action provisions. Come learn more!

#### SESSION CHAIR/MODERATOR

Valarie C. WILLIAMS, Alston & Bird LLP, San Francisco, CA

#### SPEAKERS

- Charles G. MOORE, White & Case LLP, Washington, DC
- John ROBERTI, Cohen & Gresser LLP, Washington, DC
- Allison B. SMITH, Wilson Sonsini Goodrich & Rosati, Washington, DC
- Vaughn R. WALKER, Walker Nakamura ADR LLP, San Francisco, CA

## 7

### PROTECTING KIDS, PRIVACY, AND FREE SPEECH

M4: CAPITOL | CONGRESS

*Presented by the Legislation Committee*

Consensus is mounting that online platforms pose risks to kids' well-being. Federal and state legislators have proposed laws to attempt to curb these harms, but there are concerns that they also endanger the privacy and speech rights of all users. Is there a way to bridge this divide? Join us to discuss these legislative efforts, first amendment issues, and ways forward.

#### SESSION CHAIR/MODERATOR

Katherine WHITE, Kelley Drye & Warren LLP, Washington, DC

#### SPEAKERS

- Ari COHN, TechFreedom, Washington, DC
- Danielle ESTRADA, Attorney Advisor to Commissioner Alvaro Bedoya, Federal Trade Commission, Washington, DC
- Kate RUANE, Center for Democracy & Technology, Washington, DC
- David SONNENREICH, Director of the Antitrust Section, Office of the Utah Attorney General, Salt Lake City, UT

## 8

### THE PE EFFECT: ANTITRUST SCRUTINY ABOUNDS

M2: SALONS 9 & 10

*Presented by the Insurance and Financial Services Committee*

Previously seen as "financial" (i.e., unproblematic) buyers, private equity firms face increased skepticism by antitrust enforcers and the public. Besides "roll-ups" and interlocks, PE's leverage of debt and impact on labor, service, quality, innovation are all being questioned. Is the scrutiny deserved, or a tempest in a teapot? Will the proposed Merger Guidelines and HSR changes curb P&E M&A?

#### SESSION CHAIR/MODERATOR

John M. SNYDER, Alston & Bird LLP, Washington, DC

#### SPEAKERS

- Norman ARMSTRONG, JR, Kirkland & Ellis LLP, Washington, DC
- Rebekah GOSHORN JURATA, General Counsel, American Investment Council, Washington, DC
- Richard MOSIER, Special Counsel for Private Equity, U.S. Department of Justice, Antitrust Division, Washington, DC
- Leslie C. OVERTON, Axinn Veltrop & Harkrider LLP, Washington, DC

## 9

### TRIALS & TRIBULATIONS: RECENT CRIMINAL ANTITRUST TRIALS

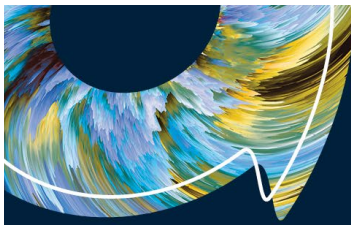
M4: SALONS M-P

*Presented by the Cartel & Criminal Practice and Trial Practice Committees and International Cartel Task Force*

Over the last few years, there have been several criminal antitrust trials resulting in a variety of outcomes: convictions, hung juries, and acquittals. What are the common features and themes across criminal antitrust trials — in recent years and looking further back? What defense strategies and tactics have been effective, and what lessons can counsel learn?

#### SESSION CHAIR/MODERATOR

Niall E. LYNCH, Latham & Watkins LLP, San Francisco, CA



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## SPEAKERS

- Sara CLINGAN, Assistant Chief, U.S. Department of Justice, Antitrust Division, Washington, DC
- Kevin B. HART, Jones Day, Washington, DC
- Anna T. PLETCHER, O'Melveny & Myers LLP, San Francisco, CA
- Marc A. WEINSTEIN, Hughes Hubbard & Reed LLP, New York, NY

## 10

### WEB3, BLOCKCHAIN, AND EXCLUSIONARY CONDUCT

M4: SALONS I–L

*Presented by the Distribution & Franchising and Media & Technology Committees*

In the Web2 world, developers can distribute their apps to iOS devices only through Apple's App Store. They are also required to use Apple's in-app payment processor (IAP), while Apple collects a 30% commission. Companies in Web3 now use in-app purchases to distribute NFTs and sell related services. Are Web3 companies immune to these potential competition issues or is history repeating itself?

SESSION CHAIR/MODERATOR(S)

Luis BLANQUEZ, Bona Law PC, San Diego, CA

## SPEAKERS

- Robin COOK, Coinbase, Washington, DC
- Ankur KAPOOR, Constantine Cannon LLP, New York, NY
- Amalia R. MILLER, University of Virginia, Charlottesville, VA

### 4:00–4:45PM

#### FIRESIDE CHAT (NON-CLE)

M4: TREASURY

INTERVIEWER

William C. MACLEOD, Kelley Drye & Warren LLP, Washington, DC

## SPEAKERS

- Benoit COEURE, President, French Competition Authority, Paris
- Natalie HARSDORF-BORSH, Director General for Competition, Austrian Federal Competition Authority, Vienna
- Saverio Valentino, Board Member, Italian Antitrust Authority, Rome

### 5:00–6:00 PM

#### WELCOME RECEPTION

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

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, APRIL 11

### 7:00AM–5:30 PM

#### REGISTRATION OPEN

MEZZANINE

#### CLE SIGN-IN KIOSKS

M1 | M2 | M4: Archives

### 7:30AM–5:30 PM

#### BOOKSTORE & COFFEE SHOP OPEN

M4: ARCHIVES

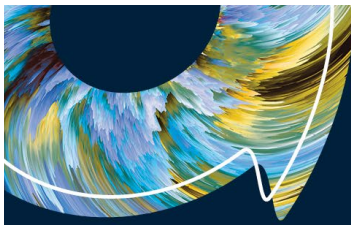
### 8:00–8:30 AM

#### 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.

CAREER CONVERSATIONS

M4: SUPREME COURT



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DIVERSITY DIALOGUES: LGBTQIA+  
M1: GEORGETOWN

FRIENDS OF BILL  
M3: CHINATOWN

## **8:30–10:00 AM** **CONCURRENT CLE SESSIONS**

### **1** **AI, ANTITRUST, AND MEDIA DEVELOPMENTS**

M4: SALONS M–P

*Presented by the Artificial Intelligence Task Force, Media & Technology and Privacy & Information Security Committees*

The data an AI model trains on, how it acquires such data, and the outputs it generates present novel legal issues. The conflict surrounding writers, authors, and actors on the use of AI in media potentially will alter traditional concepts of human creation and use rights in that medium. How will we navigate antitrust, labor relations, contractual, IP, ethical, and privacy concerns?

SESSION CHAIR/MODERATOR  
Trisha GRANT, Counsel, Federal Trade Commission, Washington, DC

- SPEAKERS
- Ken CRUTCHFIELD, Wolters Kluwer NV, Alexandria, VA
  - Sophie J. GOOSSENS, Reed Smith LLP, London
  - Mattan MERIDOR, Agmon and Tulchinsky, Tel Aviv
  - Andreia SAAD, Legal Director and Data Protection Officer, Grupo Globo, Rio de Janeiro

### **2** **BRIEFING WITH THE STATE ENFORCERS**

M4: CAPITOL & CONGRESS

*Presented by State Enforcement Committee*

Join leading state enforcers to learn more about their recent cases and upcoming initiatives.

SESSION CHAIR/MODERATOR  
Beau W. BUFFIER, Wilson Sonsini Goodrich & Rosati, New York, NY

- SPEAKERS
- Paula BLIZZARD, Senior Assistant Attorney General for Antitrust, California Department of Justice, San Francisco, CA
  - Amy HANSON, Assistant Attorney General, Washington State Office of the Attorney General, Olympia, WA
  - Schonnette JONES WALKER, Chief, Antitrust Division, Office of the Maryland Attorney General, Baltimore, MD
  - Marie W.L. MARTIN, Assistant Attorney General, Utah Office of the Attorney General, Salt Lake City, UT

### **3** **HOT BUTTON ISSUES IN CLASS ACTION LITIGATION**

M4: SALONS I–L

*Presented by the Civil Practice & Procedure Committee*

What are the most important issues currently driving class action litigation? This panel will examine nationwide jurisdiction, standing, expert witness testimony, the use of cy-près, service awards, and more.

SESSION CHAIR/MODERATOR  
The 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, Ithaca, NY
  - Bonnie LAU, Morrison & Foerster LLP, San Francisco, CA
  - Belinda S. LEE, Latham & Watkins LLP, San Francisco, CA
  - Kellie C. LERNER, Robins Kaplan LLP, New York, NY

### **4** **MEET THE ENFORCERS: THE EC'S DMA TEAM**

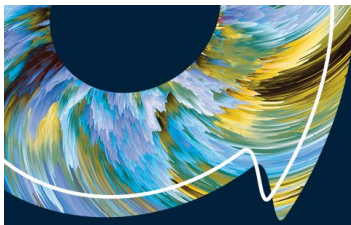
M4: SALONS A–H

*Presented by the International Committee*

The Digital Market Act is a landmark piece of EU regulation, imposing various rules on platforms acting as "gatekeepers" in the digital sector. With designated gatekeepers required to be DMA-compliant by March 2024, come listen as senior officials charged with enforcing the DMA discuss what's happened so far and what lies ahead.

SESSION CHAIR/MODERATOR  
Vittorio COTTAFALI, Attorney, U.S. Department of Justice, Antitrust Division, Washington, DC

QUESTIONER  
Liliane MELHAM-GAM, Linklaters LLP, Brussels



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## SPEAKERS

- Alberto BACCHIEGA, Director, Digital Platforms, European Commission, DG Competition, Brussels
- Fernando CASTILLO DE LA TORRE, Principal Legal Advisor, Legal Service, Competition & Mergers, European Commission, Brussels
- Filomena CHIRICO, Head of Unit, Digital Markets, European Commission, DG Connect, Brussels
- Thomas KRAMLER, Head of Unit, Digital Platforms, European Commission, DG Competition, Brussels

## 5

### MIND YOUR EXCHANGES — TALK ISN'T ALWAYS CHEAP

M3: SHAW | LEDROIT

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

The DOJ and FTC withdrew guidelines that provided safe harbors to some types of information sharing and collaborative conduct, citing advances in technology and greater reliance on algorithms and AI. How should firms navigate this new environment? If AI can achieve collusive outcomes, do we need new tools to distinguish between procompetitive information sharing and anticompetitive conduct?

#### SESSION CHAIR/MODERATOR

Ishita RAJANI, Analysis Group, Boston, MA

#### SPEAKERS

- Rosa ABRANTES-METZ, Berkeley Research Group, New York, NY
- Jesus ALVARADO-RIVERA, Global Legal Director, Anheuser-Busch InBev Global, Washington, DC
- Markus BRAZILL, Counsel to the Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
- Beatriz MEJIA, Cooley LLP, San Francisco, CA

## 6

### NEW FRONTIERS IN MARKET DEFINITION

M2: Salons 12 & 13

*Presented by the Economics Committee*

Views on market definition, as well as the legal and economic tools for defining markets, continue to evolve. How much does market definition still matter, and does the answer vary by type of case? Is SSNIP still king, does the *Brown Shoe* still fit, or is it time for new tools to handle the complexities of market definition in such areas as platform markets, zero-price markets, and labor markets?

#### SESSION CHAIR/MODERATOR

Sergei ZASLAVSKY, O'Melveny & Myers LLP, Washington, DC

#### SPEAKERS

- Emily BLACKBURN, Attorney, Federal Trade Commission, Washington, DC
- Tasneem CHIPTY, Chipty Economics, Boston, MA
- Megan GRANGER, Weil Gotshal & Manges LLP, Washington, DC
- Justin P. RAPHAEL, Munger Tolles & Olsen LLP, San Francisco, CA

## 7

### RESTOCKING THE LENIENCY TOOL SHED

M2: SALONS 7–10

*Presented by the International Cartel Task Force*

Enforcers discuss the recalibration of leniency programs, and incentives such as ACPERA and financial incentives for whistle blowers, and how the use of dawn raids, criminal actions, damages actions, and other sticks may impact the carrots. The audience will interact with the panelists to explore the main challenges facing leniency programs in various jurisdictions and possible solutions.

#### SESSION CHAIR/MODERATOR

Jeffrey D. MARTINO, Baker McKenzie LLP, New York, NY

#### SPEAKERS

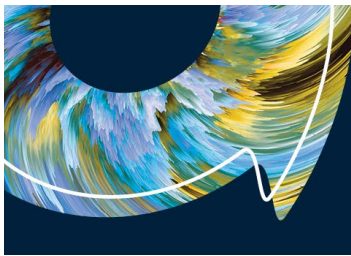
- Emma BURNHAM, Acting Director of Criminal Enforcement, U.S. Department of Justice, Antitrust Division, Washington, DC
- Alexandre CORDEIRO MACEDO, President, Administrative Council for Economic Defense (CADE), Brasilia
- Huy DO, Fasken, Toronto
- Maria JASPERS, Director, Cartel Directorate, European Commission, DG Competition, Brussels

## 10:15–NOON

### CHAIR'S SHOWCASE — HOPE OR HORROR: THE BIG AI DEBATE

M2: SALONS 1–6

AI has the potential to transform our lives. It promises to supercharge innovation, but also threatens to stunt competition and perpetuate bias and misinformation. Can our existing antitrust



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**ABA** AMERICAN BAR ASSOCIATION  
Antitrust Law Section

and consumer protection framework tackle the challenge? Or do we need to augment the framework for an algorithmic economy? Join our panel of experts as we debate the consequences of our choices ahead.

#### SESSION CHAIR/MODERATOR

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

#### CO-MODERATOR

Dany H. Assaf, Torys LLP, Toronto

#### SPEAKERS

- Ritu AGARWAL, Johns Hopkins Carey Business School, Baltimore, MD
- Sarah CARDELL, Chief Executive, Competition and Markets Authority, London
- Avi GOLDFARB, Rotman School of Management, University of Toronto, Toronto
- Chris LEWIS, President & CEO, Public Knowledge, Washington, DC
- Timothy WU, Columbia Law School, New York, NY

#### 12:15–1:15 PM

##### LUNCHEON RECEPTION FOR CORPORATE IN-HOUSE COUNSEL

The Section Officers and Spring Meeting Co-chairs invite registered Spring Meeting corporate 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.

#### 1:00–3:00 PM

##### THIRD-PARTY SUBPOENA RECIPIENTS: ENEMIES OR FRIENDS?

M3: SHAW | LEDROIT

*Presented by the Compliance & Ethics and Joint Conduct Committees*

Consider this hypothetical: a litigant subpoenas a third party; the adversary, via back channels, discourages the third party from cooperating. Is this ethical? What would make it so? We will poll the audience for reactions to this and similar scenarios, before putting the question to ethics experts and practitioners on the panel.

#### SESSION CHAIR/MODERATOR

David B. ROCHELSON, Garwin Gerstein & Fisher LLP, New York, NY

#### SPEAKERS

- Danielle R. FOLEY, Venable LLP, Washington, DC
- Susan MUSSER, Federal Trade Commission, Washington, DC
- Paula PERA, Assistant Attorney General, Antitrust Division, Washington State Office of the Attorney General, Olympia, WA
- Tiffany WILLIAMS BREWER, Howard University School of Law, Washington, DC

#### 1:30–3:00 PM

##### CONCURRENT SESSIONS

#### 1

##### A "WHOLE-OF-GOVERNMENT" APPROACH — RECENT DEVELOPMENTS

M2: SALONS 12 & 13

*Presented by the Federal Civil Enforcement Committee*

The Biden Administration declared that "a whole-of-government approach is necessary to address overconcentration, monopolization, and unfair competition." Nearly three years in, how are federal agencies fulfilling their roles with regulations and antitrust enforcement? Have they succeeded? What are the implications for DOJ/FTC and businesses? What's next in the agencies' agenda?

#### SESSION CHAIR/MODERATOR

Justin P. HEDGE, Arnold & Porter Kaye Scholer LLP, Washington, DC

#### SPEAKERS

- Mac CONFORTI, Assistant Chief, Competition Policy & Advocacy Section, U.S. Department of Justice, Antitrust Division, Washington, DC
- Deborah A. GARZA, Rule Garza Howley LLP, Washington, DC
- Katherine MCINNIS, Chief Democratic Counsel, Subcommittee on the Administrative State, Regulatory Reform, and Antitrust, U.S. House of Representatives, Washington, DC

#### 2

##### A NEW FRONTIER IN M&A?

M2: SALONS 7–10

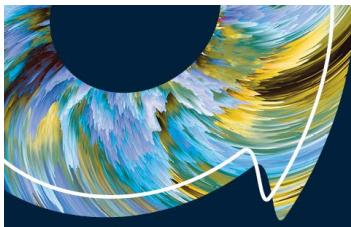
*Presented by the Mergers & Acquisitions Committee*

Enforcers in the U.S. and elsewhere have proposed new merger guidelines and forms intended to modernize the agencies' approach to merger enforcement. What does this mean for M&A in the future?

#### SESSION CHAIR/MODERATOR

Ronan P. HARTY, Davis Polk & Wardwell LLP, New York, NY





# 72<sup>nd</sup> Antitrust Law **SPRING MEETING**

April 10–12, 2024  
Washington, DC



## SPEAKERS

- Hiram ANDREWS, Head Legal Antitrust, Novartis, Basel
- Jacqueline DOWNES, Allens, Sydney
- Jamillia P. FERRIS, Freshfields Bruckhaus Deringer LLP, Washington, DC
- Rohan PAI, Deputy Assistant Director, Mergers IV, Federal Trade Commission, Washington, DC

## 3

### AI AT ALL COSTS? THE IN-HOUSE PERSPECTIVE

M4: SALONS M–P

*Presented by the Artificial Intelligence and In-House Task Forces*

In-house counsel face unparalleled demand from their businesses to adopt generative AI. But what needs to be done before in-house counsel can ethically sign off on its use not causing antitrust or consumer protection violations? Gain insights on how to build an AI program responsive to fast-moving law, policy, and industry trends while being an ethical gatekeeper (and keeping your law license).

#### SESSION CHAIR/MODERATOR

Paula C. MARTUCCI, Fayetteville, AR

#### SPEAKERS

- Shoshana L. GILLERS, Chief Privacy Officer, TransUnion, Chicago, IL
- Gabrielle KOHLMEIER, Market General Counsel, Verizon, Washington, DC
- Anant RAUT, National Institute of Standards and Technology (NIST) Generative AI Public Working Group, Washington, DC
- Mary SMITH, President, American Bar Association, Chicago, IL

## 4

### COMBATING POWER MOVES WHILE CLIMBING THE LADDER

M4: SALONS A–H

*Presented by the Diversity, Advanced, Mergers & Acquisitions, and Women.Connected Committees*

You know the law — what about the rest? Our expert panel discusses how to manage or advance in a legal practice, whether in-house, private practice, or the government, and shares practical strategies for successfully navigating unprofessional conduct in a variety of contexts such as negotiations, meet-and-confers, and internal politics. You will leave empowered to take on even the biggest bully.

#### SESSION CHAIR/SPEAKER

Stacy FRAZIER, Deputy General Counsel, UnitedHealth Group, Washington, DC

#### MODERATOR

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

#### SPEAKERS

- D. Bruce HOFFMAN, Cleary Gottlieb Steen & Hamilton LLP, Washington, DC
- Anne Y. LEE, Covington & Burling LLP, Washington, DC
- Sharis A. POZEN, Clifford Chance LLP, Washington, DC

## 5

### CONSUMER PROTECTION YEAR IN REVIEW

M4: CAPITOL & CONGRESS

*Presented by the Consumer Protection and Legislation Committee*

The year 2023 was a busy one for regulators and self-regulators, grappling with key issues like dark patterns, claim substantiation, endorsements, health claims, consumer reviews, artificial intelligence, privacy and more. Hear from the people in the trenches regarding current enforcement priorities and initiatives.

#### SESSION CHAIR/MODERATOR

Paul L. SINGER, Kelley Drye & Warren LLP, Washington, DC

#### SPEAKERS

- Joanna BOLTON, Managing Legal Director, Dell Technologies, Washington, DC
- Gregory FORTSCH, Assistant General Counsel, Nestle Health Science, New York, NY
- Raqiyyah PIPPINS, Arnold & Porter Kaye Scholer LLP, Washington, DC
- Brian L. SCHWAB, Attorney General, Office of the Attorney General for the District of Columbia, Washington, DC

## 6

### ONCE A MERGER, NOW A MONOPOLY?

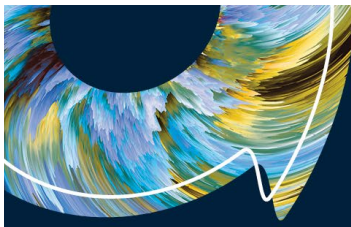
M2: SALONS 1–2

*Presented by the Media & Technology, Mergers & Acquisitions, and Unilateral Conduct Committees*

U.S. agencies retain jurisdiction to challenge a transaction post-consummation, potentially pursuing monopolization claims rather than Clayton Act § 7 claims, and other jurisdictions are considering enacting similar provisions. What legal obstacles do enforcers face where the merger was previously reviewed, or where issues may be precluded because of ongoing monitoring? Do the revised U.S. Merger Guidelines and other guidance provide more latitude?

#### SESSION CHAIR/MODERATOR

January KIM, Counsel to the Director of Civil Enforcement, U.S. Department of Justice, Antitrust Division, Washington, DC



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Washington, DC



## SPEAKERS

- Krisha CERILLI, Deputy Assistant Director of the Technology Enforcement Division, Federal Trade Commission, Washington, DC
- Karima EL SAMMAA, Global Head of Competition Law & General Counsel France, ArcelorMittal, St. Denis
- Daniel FRANCIS, NYU School of Law, New York, NY
- Thomas G. FUNKE, Osborne Clarke, Koln

## 7

### RISKY BUSINESS: INDIVIDUAL INVOLVEMENT IN CARTELS

M2: SALONS 3–4

*Presented by the International Cartel Task Force*

Amid a renewed focus on international cartels, this panel will use a mock scenario to demonstrate and discuss the growing need for—and tactics of—representing individuals in international cartel investigations, including jurisdictional differences and the DOJ's focus on individual accountability, along with changes to the leniency program and evolving case law on employees' Fifth Amendment rights.

#### SESSION CHAIR/MODERATOR

James W. ATTRIDGE, Axinn Veltrop & Harkrider LLP, Washington, DC

#### SPEAKERS

- Eve GILES, Allen & Overy LLP, London
- Kaoru HATTORI, Nagashima Ohno & Tsunematsu, Tokyo
- Kathryn HELLINGS, Hogan Lovells (US) LLP, Washington, DC
- Jillian ROGOWSKI, Counsel to the Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC

## 1:30–5:00 PM

### MOCK TRIAL

M4: SALONS I–L

*Presented by the Trial Practice Committee*

Artificial intelligence and algorithms are the subject of several ongoing antitrust lawsuits. Come watch two distinguished trial teams and economists tackle some of the challenging facts and legal issues presented by recent cases and see how a jury responds to them and the economics on which they often turn.

#### SESSION CHAIR

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

#### PRESIDING JUDGE

The Hon. Jacqueline SCOTT CORLEY, U.S. District Judge, U.S. District Court for the Northern District of California, San Francisco, CA

#### SPEAKERS

- Fatima BRIZUELA, Scott+Scott, San Diego, CA
- Christopher V. LAU, Cornerstone Research, Washington, DC
- Johanna HILLARD, Juryscope, Minneapolis, MN
- Ryan SHORES, Cleary Gottlieb Steen & Hamilton LLP, Washington, DC
- Marguerite M. SULLIVAN, Latham & Watkins LLP, Washington, DC
- Isabel TECU, Charles River Associates, Washington, DC
- Priyanka TIMBLO, Holwell Shuster & Goldberg LLP, New York, NY

## 2:00–2:45 PM

### FIRESIDE CHAT (NON-CLE)

M4: TREASURY

#### INTERVIEWER

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

#### SPEAKERS

- Samuel CHAN, Chairman, Hong Kong Competition Commission, Hong Kong
- Andy CHEN, Vice Chairperson, Taiwan Fair Trade Commission (TFTC), Taiwan

## 3:00–3:45 PM

### FIRESIDE CHAT (NON-CLE)

M4: TREASURY

#### INTERVIEWER

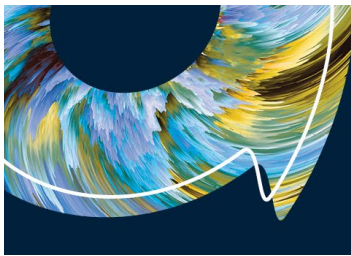
Allen VAN FLEET, G. Allan Van Fleet, P.C., Houston

#### SPEAKERS

- Teniade Folaseke MEDUPIN, Head of Procurement, Federal Competition and Consumer Protection Commission, Abuja

## 3:30–5:00 PM

### CONCURRENT SESSIONS



# 72<sup>nd</sup> Antitrust Law **SPRING MEETING**

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Washington, DC



## 1

### ARTIFICIAL INTELLIGENCE AS A TARGET AND TOOL

M4: SALONS M–P

*Presented by the Artificial Intelligence Task Force*

What is AI? How will it be used as an enforcement tool (i.e., finding patterns of conduct)? What is the potential scope of conduct and liability (fake online reviews, deception/misrepresentation, competitive coordination)? This panel will examine these issues and potential litigation and legislative solutions.

#### SESSION CHAIR/MODERATOR

Deon WOODS BELL, Senior Advisor, Global Policy, Bill and Melinda Gates Foundation, Washington, DC

#### SPEAKERS

- Michael ATLESON, Acting Assistant Director for Regional Operations, Regional Offices, Federal Trade Commission, Washington, DC
- Nuno Cunha RODRIGUES, President, Autoridade da Concorrência (AdC), Lisbon
- Haidee SCHWARTZ, In-House Competition Counsel, Open AI, Washington, DC
- Ori SCHWARTZ, Head of Competition Division, OECD, Paris

## 2

### BENCHMARKING IN AGRICULTURE, LABOR MARKETS, AND BEYOND

M3: SHAW | LEDROIT

*Presented by the Agriculture & Food and Pricing Conduct Committees*

Do peer benchmarking services facilitate collusion or promote competition? A discussion of potential benefits, pitfalls, and other considerations of this industry practice in light of recent U.S. and EU enforcement and policy perspectives.

#### SESSION CHAIR/MODERATOR

Arindam KAR, Polsinelli, St. Louis, MO

#### SPEAKERS

- Charlotte COLIN-DUBUISSON, Linklaters LLP, Paris
- Eli GLASSER, Chief Compliance Officer, Vice President and Associate General Counsel, Tyson Foods, Springdale, AR
- Samuel J. RANDALL, Kenny Nachwalter PA, Miami, FL

## 3

### GREEN HEARTS/RED FLAGS: ESG MEETS COMPETITION

M2: SALONS 7–10

*Presented by the International Committee*

Climate change is a global threat requiring a joint response. Yet collective action by private actors soon meets the limits of competition law, further complicated by divergent global approaches. Explore recent developments, key differences, and practical considerations for counseling clients trying to do the right thing with a panel of practitioners and enforcers spanning Asia, the EU, and U.S.

#### SESSION CHAIR/MODERATOR

David ERNST, Vice President, Assistant General Counsel, 3M Company, New York, NY

#### SPEAKERS

- Frances DETHMERS, Davis Polk & Wardwell LLP, Brussels
- Adam GITLIN, Chief, Antitrust Section, Office of the Attorney General for the District of Columbia, Washington, DC
- Felicity MCMAHON, Allens, Sydney
- Nana WILBERFORCE, WilmerHale, Los Angeles, CA

## 4

### HOT TOPICS

M4: SALONS A–H

Antitrust, consumer protection, and privacy are grabbing more public attention than ever before. Join this discussion of the hottest issues of this past year and a look into the crystal ball for what may be yet to come.

#### SESSION CHAIR/MODERATOR

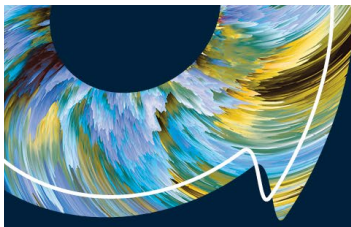
Douglas M. TWEEN, Linklaters LLP, New York, NY

#### SPEAKERS

- Krystal DENLEY BOWEN, Chief Privacy Officer, Block Inc., San Francisco, CA
- Olivier GUERSENT, Director-General of the Directorate General for Competition, European Commission, Brussels
- Ravneet KAUR, Chairperson, Competition Commission of India, New Delhi
- Andreas MUNDT, President, Bundeskartellamt (German Federal Cartel Office), Bonn
- James H. MUTCHNIK, Kirkland & Ellis LLP, Chicago, IL

## 5

### POACHING NO-POACH AGREEMENTS: GLOBAL APPROACHES



# 72<sup>nd</sup> Antitrust Law SPRING MEETING

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## M2: SALONS 1–2

*Presented by the Cartel & Criminal Practice and International Committees*

The United States has sparked attention by bringing criminal enforcement actions against prosecuting no-poach and wage-fixing agreements in criminal cases. Some jurisdictions, such as Canada and China, have also begun tackling this conduct, while others, such as Australia, continue to contemplate what enforcement may look like. This panel will explore enforcement approaches and outcomes and provide insight into what the future holds for labor markets cartel matters.

### SESSION CHAIR/MODERATOR

Ashley TABORDA, Linklaters LLP, New York, NY

### SPEAKERS

- Ninette DODOO, Freshfields Bruckhaus Deringer LLP, Beijing
- Nikiforos IATROU, McCarthy Tetrault LLP, Toronto
- Susan JONES, Gilbert + Tobin, Sydney
- Elizabeth PREWITT, Latham & Watkins LLP, New York, NY

## 6

### ROBINSON-PATMAN: STAYIN' ALIVE OR DEAD AS DISCO?

#### M2: SALONS 3–4

*Presented by the Civil Practice & Procedure, Distribution & Franchising, and Pricing Conduct Committees*

For the first time in decades, there is momentum for government enforcement of the Robinson-Patman Act, a Depression-era antitrust law that prohibits certain price discrimination on goods. Should the RPA once again become a focus of mainstream antitrust policy? Who stands to benefit? Has the evolution of competition since the Depression impacted the economic assumptions implicit in the RPA?

### SESSION CHAIR/MODERATOR

Rebecca KIRK FAIR, Analysis Group, Boston, MA

### SPEAKERS

- The Hon. Alvaro BEDOYA, Commissioner, Federal Trade Commission, Washington, DC
- Katherine M. BROCKMEYER, Jones Day, Washington, DC
- Sanford M. PASTROFF, Senior Counsel, Global Antitrust & Strategic Litigation, Whirlpool Corporation, Benton Harbor, MI
- Yaman SALAHI, Edelson PC, San Francisco, CA

## 7

### “STATE” OF UNFAIR COMPETITION CLAIMS

#### M2: SALONS 12 & 13

*Presented by the Corporate Counseling, Joint Conduct, and Unfair Competition Committees*

*Epic Games v. Apple* demonstrated state unfair competition claims are very much still alive and may capture conduct that the traditional antitrust statutes do not. As the FTC looks to flex its Section 5 muscle and more states pass legislation, private litigants, the FTC, and state enforcers are increasingly challenging anticompetitive conduct as “unfair” competition.

### SESSION CHAIR/MODERATOR

Daniel GRAULICH, Baker McKenzie LLP, Washington, DC

### SPEAKERS

- Ketan BHIRUD, Troutman Pepper, Washington, DC
- Heather T. RANKIE, Zelle LLP, Oakland, CA
- Nicole A. SARRINE, Antitrust Assistant Attorney General, Office of the Florida Attorney General, Tallahassee, FL
- Byron WARREN, Assistant Attorney General – Antitrust, Maryland Office of the Attorney General, Baltimore, MD

## 8

### WHAT'S BEHIND THE RISE IN ESG CHALLENGES?

#### M4: CAPITOL & CONGRESS

*Presented by the Consumer Protection Committee*

Greenwashing litigation is on the rise, with a surprising number of complaints surviving motions to dismiss. Investigations of ESG initiatives as potential antitrust violations are also increasing. What factors drive this trend? Will the anticipated revisions to FTC Green Guides help or hurt? Will the U.S. federal enforcers provide guidance or will other jurisdictions fill this voice? Our expert panel will unpack these factors and offer insights.

### SESSION CHAIR/MODERATOR

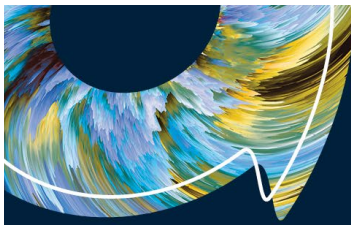
Christopher A. COLE, Katten Muchin Rosenman LLP, Washington, DC

### SPEAKERS

- James LLOYD, Deputy Attorney General for Civil Litigation, Office of the Attorney General Texas, Austin TX
- Peggy OTUM, WilmerHale, San Francisco, CA
- Stacey SUBLETT HALLIDAY, Arnold & Porter Kaye Scholer LLP, Washington DC

## 4:00–4:45 PM

### FIRESIDE CHAT (NON-CLE)



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M4: TREASURY  
INTERVIEWER  
TBD

**SPEAKERS**

- Martyna DERZNIAK-NOIRJEAN, Director of International Cooperation, Office of Competition and Consumer Protection, Poland

**7:15–9:30 PM**

**PARTY WITH A PURPOSE RECEPTION**

M2: MARQUIS BALLROOM

New this year is a reimagined Thursday dinner to Party with a Purpose Reception. Party with a Purpose is not just a gathering; it’s an investment in a future where every voice is heard, every perspective is valued, and justice is truly blind. Support great causes while mixing and mingling with your colleagues and clients with live music and a fun and interactive buffet format. Group and individual tickets are available for purchase.

Help meet the Section’s giving goal by supporting our three giving opportunities: Your donation ensures fair justice by bringing fresh perspectives to our profession. Donations can be made online at: [ambar.org/gifttojustice](http://ambar.org/gifttojustice)

**ABA Hollis L. Salzman Memorial Scholarship** - Every \$10,000 raised offers a female scholar the opportunity to accept a non-paid internship in antitrust, consumer protection, or privacy sectors.

**ABA Judicial Intern Opportunity Program (JIOP)**- A program created by Antitrust Former Chair Janet McDavid and the Antitrust Law Section, JIOP provides underrepresented law students with a \$2,000 stipend to spend a summer working one-on-one with judges.

**ABA Legal Opportunity Scholarship Fund**- Each year, up to 20 students of color are awarded \$15,000 to pursue a legal education.

## FRIDAY APRIL 12

**7:00 AM–NOON**

**REGISTRATION OPEN**

MEZZANINE

**CLE SIGN-IN KIOSKS**

M1 | M2 | M4: Archives

**7:30 AM–12:30 PM**

**BOOKSTORE & COFFEE SHOP OPEN**

M4: ARCHIVES

**8:00–8:30 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.

**CAREER CONVERSATIONS**

M4: SUPREME COURT

**DIVERSITY DIALOGUES: Hispanic**

M1: GEORGETOWN

**FRIENDS OF BILL**

M3: CHINATOWN

**8:30–9:45 AM**

**CONCURRENT 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.

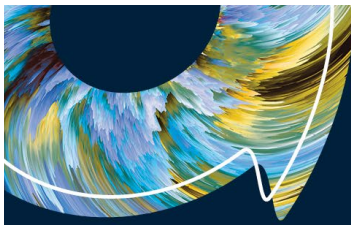
**SESSION CHAIR/MODERATOR**

Renata B. HESSE, Sullivan & Cromwell LLP, Washington, DC

**SPEAKERS**

- Samuel A.A. LEVINE, Director, Bureau of Consumer Protection, Federal Trade Commission, Washington, DC
- Henry LIU, Director, Bureau of Competition, Federal Trade Commission, Washington, DC
- Aviv NEVO, Director, Bureau of Economics, Federal Trade Commission, Washington, DC

**2**



# 72<sup>nd</sup> Antitrust Law SPRING MEETING

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## ANTITRUST MARKETS CRITICAL TO DEMOCRACY

M2: SALONS 12 & 13

*Presented by the Legislation and Media & Technology Committees*

In this election year, let's take a closer, systematic look at antitrust markets that enable democracy to flourish—namely, goods and services that enable citizens to get information (e.g., newspapers), share and discuss viewpoints (e.g., social media), and choose candidates (e.g., voting machines). What market characteristics and conditions are most critical to promoting democracy? And are these non-price considerations valid antitrust harms?

### SESSION CHAIR/MODERATOR

Henry C. SU, National Institute for Trial Advocacy, Washington, DC

### SPEAKERS

- Daniel A. CRANE, University of Michigan Law School, Ann Arbor, MI
- Denise HEARN, Columbia Center of Sustainable Investments, New York, NY
- Christine WILSON, Founder & President, EdenSpring Foundation, Washington, DC

## 3

### BLOCKED! NATIONAL SECURITY REROUTES SUPPLY CHAINS

M3: Shaw | LeDroit Park

*Presented by the Foreign Investment & National Security and Privacy & Information Security Committees*

Increasingly, the U.S. government disfavors products from countries that pose cybersecurity or national security risks. Some critical products and services are in the supply chain, but the Covid-19 experience taught us that products made abroad may not be available when needed. What are the implications of national security and the 2023 National Cybersecurity Strategy for antitrust analysis?

### SESSION CHAIR/MODERATOR

Subrata BHATTACHARJEE, Borden Ladner Gervais LLP, Toronto

### SPEAKERS

- John LASH, Dark Horse Global, Pittsburgh, PA
- Veronica ROBERTS, Herbert Smith Freehills LLP, London
- Gabriel SLATER, Director for International Cyber Policy & Strategy, National Security Council, The White House, Washington, DC
- Bitten THORGAARD SORENSEN, Head of Competition Law & Policy, Maersk, Copenhagen

## 4

### HEALTH ADVERTISING: SUBSTANTIATE OR REMEDIATE?

M4: CAPITOL | CONGRESS

*Presented by the Consumer Protection Committee*

Healthcare continues to be a top enforcement priority post-COVID. The FTC recently replaced its 20-year-old Dietary Supplements Advertising Guide with its new Health Products Compliance Guidance and sent Notice of Penalty Offense Letters on claim substantiation to nearly 700 companies focusing on marketing health care products. Should companies and advertisers recalibrate their strategies in response to the FTC's recent actions?

### SESSION CHAIR/MODERATOR

Lauren ARONSON, Amin Talati & Wasserman LLP, Washington, DC

### SPEAKERS

- Laura Brett, Vice President, National Advertising Division (NAD), BBB National Programs, New York, NY
- Megan OLSEN, Senior Vice President and General Counsel, Council for Responsible Nutrition (CRN), Washington, DC
- Michael OSTHEIMER, Division of Advertising Practices, Federal Trade Commission, Washington, DC

## 5

### REINING IN GATEKEEPERS AND ECOSYSTEMS

M4: SALONS M–P

*Presented by the Media & Technology, International, and Unilateral Conduct Committees*

With the DMA kicking in, the EC has designated many large tech companies as gatekeepers. US and EU regulators are also concerned that ecosystems built by large tech firms entrench market power and harm competition and are looking to block more mergers. What can we learn from the different enforcement approaches? What are the underlying theories of harm and what effect can we expect?

### SESSION CHAIR/SPEAKER

Julieta CAMINADE, Analysis Group, Boston, MA

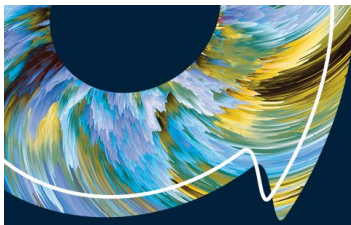
### MODERATOR

Rishi P. SATIA, Morgan Lewis & Bockius LLP, San Francisco, CA

### SPEAKERS

- Janet JONES-DUFFEY, Freshfields Bruckhaus Deringer LLP, Brussels
- David B. LAWRENCE, Policy Director, U.S. Department of Justice, Antitrust Division, Washington, DC
- Noah J. PHILLIPS, Cravath Swaine & Moore LLP, New York, NY

## 6



72<sup>nd</sup> Antitrust Law  
**SPRING**  
**MEETING**

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**ROBO-COMPLIANCE: AUTOMATION WITH AI/ML**

M4: SALONS I–L

*Presented by the Compliance & Ethics, Corporate Counseling, and Media & Technology Committees*

How can organizations deploy AI/ML-powered tools to improve antitrust compliance? Practitioners experienced in building and monitoring compliance programs will discuss how technology can help automate resource-intensive workflows to identify problem areas, mitigate risks, and position an organization to secure leniency in the event of a government investigation.

SESSION CHAIR / SPEAKER

Benjamin J. BAUER, Cravath Swaine & Moore LLP, New York, NY

MODERATOR

Kaj ROZGA, Senior Counsel Antitrust, ABB, New York, NY

SPEAKERS

- Monique BOYCE, Associate Corporate Counsel, Google Inc., Washington, DC
- Sean DUFFY, Associate General Counsel of Competition Compliance, Meta Platforms Inc, San Francisco, CA
- Mugdha S. KELKAR, Senior Counsel, Corporate Compliance Department, Law Organization, Aramco, Dhahran

**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/ MODERATOR

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

QUESTIONNER

Jillian E. CHARLES, Vice President & General Counsel, Global Investigations, Antitrust & Anticorruption, Honeywell, Charlotte, NC

SPEAKERS

- Gwendolyn J. LINDSAY COOLEY, National Chair, Multistate Antitrust Task Force, Office of the Wisconsin Attorney General, Madison, WI
- Jonathan S. KANTER, Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
- Lina M. KHAN, Chairperson, Federal Trade Commission, Washington, DC
- Andrea MARVÁN SALTIEL, Chair Commissioner, Federal Economic Competition Commission (COFECE), Mexico City
- Margrethe VESTAGER, Executive Vice President and Commissioner, European Commission, Brussels