Chicago Forum on International Antitrust Issues

Monday, June 8th - Tuesday, June 9, 2015
Northwestern University School of Law
Wieboldt Hall #147
340 E. Superior Street, Chicago, IL 60611

Monday, June 8th

Afternoon Session Chair: Roxane C. Busey, Partner, Baker & McKenzie LLP, Chicago, IL

12:45 – 1:00 Welcome and Introduction (WB 147)
Matthew L. Spitzer, Director, Searle Center on Law, Regulation, and Economic Growth and Howard and Elizabeth Chapman Professor, Northwestern University School of Law

1:00 – 1:30 Featured Speaker: The Proliferation of Leniency Programs: Is Leniency Still an Offer Companies Should Not Refuse or Too Much of a Good Thing?
Brent Snyder, Deputy Assistant Attorney General for Criminal Enforcement, Department of Justice

1:30 – 2:30 Hot Topics in Merger Enforcement: Minority Interests, Remedies in the United States, Europe, & China
Following an update on U.S. merger developments and cooperation with other agencies, this panel will focus on EU's reforms, including non-controlling minority interests, and China's new guidelines on merger control and behavioral remedies.
Robert McLeod, Editor in Chief, MLEX Market Intelligence (moderator)
Lynda K. Marshall, Assistant Chief, Foreign Commerce Section, Department of Justice, Antitrust Division
Carles Esteva Mosso, Deputy Director-General (acting), European Commission Directorate-General for Competition, Brussels
Dr. Isabelle Yijia Wang, Senior Consultant, NERA Economic Consulting

2:30 – 2:45 Networking Break (WB 150)

2:45 – 4:45 Showcase Program: Understanding Antitrust Enforcement in China - NDRC and SAIC
This showcase program will provide background and insight into the notable decisions and investigations of NDRC and SAIC, including resale price maintenance, abuse of dominance and intellectual property.

David Snyder, Senior Attorney, Antitrust Group, Microsoft (moderator)
Andrew J. Heimert, Counsel for Asian Competition Affairs, Federal Trade Commission
William E. Kovacic, Global Competition Professor of Law and Policy, George Washington University Law School
Peter J. Wang, Partner, Jones Day
Dr. Angela Huyue Zhang, Lecturer, King's College London-The Dickson Poon School of Law

4:45 – 5:30 In-House Round Table: Perspectives on Non-U.S. Enforcement
In sharing their experiences in dealing with global issues, this panel will discuss the challenges they faced in due diligence and gun jumping in merger investigations, global compliance, and cartel investigations.

Samantha Mobley, Partner, Baker & McKenzie LLP, London (moderator)
Christine M. Castellano, Sr. Vice President, General Counsel, Chief Compliance Officer, and Corporate Secretary, Ingredion Incorporated
Neville (Ned) S. Hedley, Sr. Vice President, Global Compliance, The Northern Trust
Atleen Kaur, Senior Corporate Counsel, Yazaki North America, Inc.
Sheri K. Rudberg, Senior Counsel, Transactions, Baxter International, Inc.

5:30 – 8:00 Networking Reception with Hors d’oeuvres at Baker & Mckenzie (300 E. Randolph Suite 5000)
Meet with speakers and colleagues and enjoy the view. (Complimentary with registration).

Tuesday, June 9th

Morning Session Chair: Darrell Prescott, Partner, Baker & McKenzie LLP

8:00 a.m. Continental Breakfast (WB 150)

8:45-9:30 Cascading Cartel Investigations -- How to Recognize and Minimize the Risk
Recognizing and minimizing the risk may require proactive techniques to detect antitrust violations and to obtain leniency from the Department of Justice and other antitrust enforcement agencies.

Darrell Prescott, Partner, Baker & McKenzie LLP (moderator)
Hays Gorey, Jr., Partner, GeyerGorey LLP
Kurt Haegeman, Partner, Baker & McKenzie LLP, Brussels
Britt M. Miller, Partner, Mayer Brown LLP
Dr. John Scalf, Senior Consultant, NERA Economic Consulting

9:30-10:15 Best Practices and Differences -- Dawn Raids and Searches and Seizures
As dawn raids become more widespread, best practices become of paramount importance in complying with the information demands sought by the authorities while avoiding charges of obstruction of justice.

Darrell Prescott, Partner, Baker & McKenzie LLP (moderator)
Tim Bridgeford, Executive Director – Global Antitrust Compliance Lead, JP Morgan
Eduardo Molan Gaban, Partner, Tauil & Chequer Advogados, Brazil
Kurt Haegeman, Partner, Baker & McKenzie LLP, Brussels
Avaantika Kakkar, Partner, Khaitan & Co., India

10:15-10:30 Networking Break (WB 150)
Abuse of Dominance in New Products and Aftermarkets
Abuse of dominance is often second only to cartels in investigation by non-U.S. agencies. This panel will provide a roadmap for avoiding this global minefield.

Andrew I. Gavil, Professor, Howard University School of Law (moderator)
Jean-Yves Art, Assistant General Counsel, Microsoft Corporation, Brussels
Christopher Zammit, Senior Counsel, Distribution and Trade Regulation, Fiat Chrysler Automobiles N.V.

Role of Economics at DOJ and Bargaining Power in Merger Analysis
With his experience at the DOJ and academic research regarding, among other things, buyer power in merger enforcement, Professor Nevo will provide insight into the role of economics in enforcement at the DOJ and other agencies.

Anne Gron, Vice President, NERA Economic Consulting (moderator)
Aviv Nevo, Professor, Department of Economics, Northwestern University

Lunch (WB 540)

Featured Address on “The Lifecycles of New Competition Systems”
William E. Kovacic, Global Competition Professor of Law and Policy, George Washington University Law School

Afternoon Session Chair: Mark McLaughlin, Partner, Mayer Brown LLP

Recent Developments in India
This panel will provide an update on the aggressive enforcement of competition law by the Competition Commission of India, including abuse of dominance, leniency, and merger control and review.

Nick Koberstein, Division Counsel, Licensing & Acquisitions, Abbott Laboratories (moderator)
Nicholas Franczyk, Counsel for International Technical Assistance, Federal Trade Commission
Avaantika Kakkar, Counsel, Khaitan & Co., India

Update on Revised Mexican Competition Law
Mexico's new reforms in merger control, exchange of information and investigatory powers will be the focus of this discussion.

Russell W. Damtoft, Associate Director, Office of International Affairs, Federal Trade Commission (moderator)
Eduardo Pérez Motta, Agon, economía, derecho y estrategia, Mexico

Networking Break

Hot Topics in EU and U.S. Antitrust Litigation
Focusing on private litigation, this panel will cover the extent to which foreign companies may be exempt from U.S. litigation under the FTAIA, what the long awaited European Directive on private litigation really means and how it compares to U.S. litigation.

Mark McLaughlin, Partner, Mayer Brown LLP (moderator)
Andrew S. Marovitz, Partner, Mayer Brown LLP
Paula W. Render, Partner, Jones Day
Francesca Richmond, Senior Associate, Baker & McKenzie LLP, London