

Fordham Antitrust Conference



Fordham Competition Law Institute

Fordham Law School, 150 West 62nd Street, NY

Antitrust Economics Workshop

September 14, 2022

8:00 a.m.–2:00 p.m.

49th Annual

Conference on International Antitrust Law & Policy

September 15–16, 2022

Day 1: 8:45 a.m.–4:40 p.m.

Day 2: 8:15 a.m.–3:40 p.m.



FORDHAM UNIVERSITY
THE SCHOOL OF LAW



Fordham Competition Law Institute Antitrust Workshops

WEDNESDAY, SEPTEMBER 14, 2022

8:00–8:40 a.m. **Registration and Breakfast**

8:40–8:45 a.m. **Opening Remarks**

James Keyte, FCLI Director and Adjunct Professor of Law, Fordham Law School; Director of Global Development, The Brattle Group

First Session

Sponsored by The Brattle Group

8:45–10:30 a.m.

Panel 1: What is the Role of Economists in a Neo-Brandeisian/Progressive Deal Environment? (2.0 CLE)

MODERATOR: **Loren Smith**, Principal, The Brattle Group

PANELISTS:

Laurent Eymard, Principal, The Brattle Group

Joshua Soven, Partner, Paul Weiss

Andrea Gomes da Silva, Senior Advisor, Brunswick Group

Mary Lehner, Partner, Freshfields

Panel 2: The IP/Antitrust Intersect: An Economic Perspective

MODERATOR: **Vanessa Yanhua Zhang**, Principal, The Brattle Group

PANELISTS:

Reiko Aoki, Commissioner, Japan Fair Trade Commission

Josephine Duh, Senior Associate, The Brattle Group

Dina Kallay, Head of Antitrust, Ericsson

Gabriella Muscolo, Partner, Franzosi Dal Negro Setti with Muscolo

10:30–10:45 a.m.

Break

Second Session

Sponsored by Cornerstone Research

10:45 a.m.–12:30 p.m.

Pharmacy Benefit Managers: Economics and Enforcement Interest (2.0 CLE)

MODERATOR: **Andrew Elzinga**, Senior Manager, Cornerstone Research

PANELISTS:

Alice Chen, Associate Professor, Sol Price School of Public Policy; Senior Fellow, Leonard D. Schaeffer Center for Health Policy and Economics, University of Southern California

Gautam Gowrisankaran, Professor of Economics, Columbia University

Kristen O'Shaughnessy, Partner, White & Case

Transatlantic Antitrust Class Actions

MODERATOR: **Vivek Mani**, Vice President, Cornerstone Research

PANELISTS:

Liam Colley, Senior Vice President, Cornerstone Research

Celeste Saravia, Vice President, Cornerstone Research

Martin Toto, Partner, White & Case

12:30–12:45 p.m.

Break to gather boxed lunches

12:45–2:00 p.m.

Agency Economists' Roundtable (1.5 CLE)

Moderator: **Scott Hemphill**, Moses H. Grossman Professor of Law, NYU School of Law

PANELISTS:

Lilla Csorgo, Chief Economist, Competition Bureau Canada

Ioana Marinescu, Principal Economist, Antitrust Division, DOJ

Baethan Mullen, General Manager, Economics and International, ACCC

Hans Zenger, Head of Unit (Chief Economist Team), DG COMP

CMA

Speakers & Sponsors Dinner

Co-sponsored by Davis Polk and Freshfields

49th Annual Conference on International Antitrust Law and Policy

DAY 1: THURSDAY, SEPTEMBER 15, 2022

8:45–9:15 a.m. **Registration and Breakfast**

Co-sponsored by Axinn, Veltrop & Harkrider, LLP and EE&MC

9:15–9:30 a.m. **Introductions and Welcome**

James Keyte, FCLI Director and Adjunct Professor of Law, Fordham University School of Law; Director of Global Development, The Brattle Group

9:30–10:45 a.m. **Keynote Remarks and Discussion**

Alexandre Cordeiro Macedo, President, Administrative Council for Economic Defense (CADE)

Gina Cass-Gottlieb, Chair, Australian Competition and Consumer Commission

Q&A

Andrew Foster, Partner, Skadden Arps

Daniel Francis, Assistant Professor of Law, NYU School of Law

10:45–11 a.m. **Break**

11 a.m.–12:15 p.m. **Are Market Economies and the Consumer Welfare Standard Being Overwhelmed by National Interests, Politics or Progressive Forces and Policies? (1.5 CLE)**

MODERATOR: **Frédéric Jenny**, Chair, OECD Competition Committee

PANELISTS:

Andrew Finch, Partner, Paul Weiss

Eleanor Fox, Walter J. Derenberg Professor of Trade Regulation, NYU School of Law

Cal Goldman, Principal, The Law Office of Calvin Goldman, Q.C.
Eduardo Pérez Motta, Partner, SAI Law & Economics
Andreas Mundt, President, Bundeskartellamt; Chair, International Competition Network

12:15–1:45 p.m. **Luncheon Honoring Eleanor Fox & Harry First**
Co-sponsored by Clifford Chance and Paul Weiss

MODERATOR: **William Kovacic**, Global Competition Professor of Law and Policy; Professor of Law; Director of the Competition Law Center, George Washington University Law School

PANELISTS:

Terry Calvani, Senior Advisor, Brunswick Group
Scott Hemphill, Moses H. Grossman Professor of Law, NYU School of Law
Ilene Knable Gotts, Partner, Wachtell, Lipton, Rosen & Katz

1:45–3:00 p.m. **How the Ibero-American Agencies and Courts are Addressing Tech Issues Across Competition Dimensions (1.5 CLE)**

MODERATOR: **Alejandra Palacios**, Senior Fellow, University of Southern California; Affiliate, The Brattle Group

PANELISTS:

Marcos Exposto, Partner, BMA Advogados (Brazil)
Margarida Matos Rosa, President, Portuguese Competition Authority (AdC)
María Luisa Tierno Centella, Director-General for Competition, CNMC
Pablo Trevisán, Partner, Trevisán Abogados
Mario Ybar Abad, Counsel, Garrigues (Chile)

3:00–3:15 p.m. **Break**

3:15–4:30 p.m. **The Antitrust Assessment of Business Models, Justifications and Efficiencies of Dominant Firms (1.5 CLE)**

MODERATOR: **Daniel Francis**, Assistant Professor of Law, NYU School of Law

PANELISTS:

Gina Cass-Gottlieb, Chair, Australian Competition and Consumer Commission
Robert Klotz, Partner, Sheppard Mullin
Leigh Oliver, Partner, Clifford Chance
Zephyr Teachout, Associate Professor of Law, Fordham University School of Law

4:30–4:40 p.m. **Closing Remarks**

4:40–6:00 p.m. **Reception**
Sponsored by Kirkland & Ellis

DAY 2: FRIDAY, SEPTEMBER 16, 2022

8:15–9:00 a.m. **Registration and Breakfast**

Co-sponsored by Axinn, Veltrop & Harkrider, LLP and EE&MC

9:00–9:15 a.m. **Introductions and Welcome**

James Keyte, FCLI Director and Adjunct Professor of Law, Fordham University School of Law; Director of Global Development, The Brattle Group

9:15–11:30 a.m. **Keynote Remarks and Discussion**

Jonathan Kanter, Assistant Attorney General for the Antitrust Division, US Department of Justice

Q&A

William Kovacic, Global Competition Professor of Law and Policy; Professor of Law; Director of the Competition Law Center, George Washington University Law School

Eleanor Fox, Walter J. Derenberg Professor of Trade Regulation, NYU School of Law

Margrethe Vestager, Executive Vice-President for A Europe Fit for the Digital Age and Competition, European Commission

Q&A

Renata Hesse, Partner, Sullivan & Cromwell

Alex Potter, Partner, Freshfields

Lina Khan, Chair, Federal Trade Commission

Q&A

Koren Wong-Ervin, Partner, Axinn, Veltrop & Harkrider, LLP

William Kovacic, Global Competition Professor of Law and Policy; Professor of Law; Director of the Competition Law Center, George Washington University Law School

11:30–11:40 a.m. **Break**

11:40 a.m.–1:00 p.m. **Managing the Deal Process in an Increasingly Progressive Enforcement Environment (1.5 CLE)**

MODERATOR: **Nicholas Levy**, Partner, Cleary Gottlieb

PANELISTS:

Elizabeth Avery, Partner, Gilbert & Tobin

Alasdair Balfour, Partner, Kirkland & Ellis

Olivier Guersent, Director-General, DG Comp

Bryan Gant, Partner, White & Case

Kate Rocco, Partner, Latham & Watkins

1:00–1:20 p.m. **Break to collect box lunches**

Sponsored by Latham & Watkins

1:20–2:40 p.m. **In-House Counsel Roundtable: Getting All the Ducks in a Row on Deals – Antitrust and a Lot More (1.5 CLE)**

MODERATOR: **Karen Lent**, Partner, Skadden Arps

PANELISTS:

Greg McCurdy, Senior Director, Competition & Regulatory Affairs, Sony Interactive Entertainment

Christine Palumbo, Chief Counsel, M&A Competition/Antitrust & Well-Being, Mondelēz International

Steve Reeder, Global Antitrust Lead, TikTok

Greg Sivinski, Assistant General Counsel, Competition & Markets Regulation Group, Microsoft

2:40–2:50 p.m. **Break**

2:50–3:30 p.m. **A Fireside Chat with Tim Wu**, Special Assistant to the President for Technology and Competition Policy; Julius Silver Professor of Law, Science and Technology, Columbia Law School

HOST:

William Kovacic, Global Competition Professor of Law and Policy; Professor of Law; Director of the Competition Law Center, George Washington University Law School

3:30–3:40 p.m. **Closing Remarks**

3:40 p.m. **Conference Adjourns**

CLE CREDIT

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