

Events

Event

ABA 67th Annual Section of Antitrust Law Spring Meeting

When: March 27, 2019

People: Lisl J. Dunlop, Nicholas E.O. Gaglio, Tiffany Rider

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Lisl J. Dunlop
Nicholas E.O. Gaglio
Tiffany Rider

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Axinn partners Lisl Dunlop, Nick Gaglio, and Tiffany Rider spoke at the American Bar Association's 67th Annual Section of Antitrust Law Spring Meeting in Washington, DC.

On March 27, Lisl Dunlop moderated a panel entitled, "Vertically Challenged: Vertical Mergers After AT&T/Time Warner." The AT&T-Time Warner merger has invigorated the debate over how to assess and sometimes remedy competition problems in vertical mergers. This panel explored how the US agencies will deal with vertical merger challenges and remedies in light of the court's treatment of AT&T-Time Warner.

On March 27, Tiffany Rider spoke on a panel entitled, "Antitrust 'Markman' Hearings: Cartel Class Certification Battles." Class certification battles are the "Markman" hearings in cartel cases. Motions are resolved once robust factual and expert records are developed and the resolution can be outcome determinative. Gone are the "battle of the expert" and "you can't look at the merits" mantras as rigorous scrutiny reigns. This session explored plaintiffs' and defendants' best practices.

On March 28, Nick Gaglio spoke on a panel entitled, "Beyond No-Poach: Mergers, Monopsony, and Labor Markets." The Antitrust Division has said that non-solicitation agreements among competing employers is a violation of Section 1, and may be prosecuted criminally. The FTC has said that it would examine claims that monopsonists restrain competition in labor markets. Scholars have suggested that we look at the effects of mergers in the labor market. This session discussed if labor, in this sense, is an article or commodity of commerce.

Hosted by the American Bar Association, the Annual Section of Antitrust Law Spring Meeting brings together more than 3,000 practitioners from 60 countries to learn from an esteemed group of government enforcers, private practitioners, in-house counsel, and academics.

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