



AMERICAN ANTITRUST INSTITUTE ANNUAL CONFERENCE

THE VALUE OF ANTITRUST SUPPORTING MATERIALS

SESSION I: WHAT'S PAST IS PROLOGUE: HOW YESTERDAY'S MERGERS SHAPE TODAY'S MERGER ENFORCEMENT

- Dennis W. Carlton, William M. Landes, & Richard A. Posner, [*Benefits and Costs of Airline Mergers: a Case Study*](#), 11 BELL J. ECON. 65-83 (1980).
- John E. Kwoka, [*Does merger control work? A retrospective on US enforcement actions and merger outcomes*](#), 78 ANTITRUST L.J. 619 (2013).
- [*F.T.C. v. Lundbeck, Inc.*](#) 650 F.3d 1236 (8th Cir. 2011).
- Graeme Hunter, Gregory K. Leonard, & G. Steven Olley, [*Merger Retrospective Studies: A Review*](#), 23 ANTITRUST 34 (2008).

SESSION II: THE PUBLIC/PRIVATE PARTNERSHIP IN ANTITRUST ENFORCEMENT

- Douglas H. Ginsburg & Leah Brannon, [*Determinants of Private Antitrust Enforcement in the United States*](#), 1 COMPETITION POL'Y INT'L 29 (2005).
- Ilya R. Segal & Michael D. Whinston, [*Public vs. Private Enforcement of Antitrust Law: A Survey*](#), EUR. COMPETITION L. REV. 323 (2007).
- Christine P. Bartholomew, [*Redefining Prey and Predator in Class Actions*](#), 80 BROOK. L. REV. 743, 743 (2015).
- Robert Lande, [*Private Enforcement of Antitrust Law in the United States: A Handbook, Introductory Chapter*](#), Edward Elgar (2012).
- Bill Baer, Ass't Att'y Gen., Antitrust Div., U.S. Dept. of Justice, [*Public and Private Antitrust Enforcement in the United States, Remarks as Prepared for Delivery to European Competition Forum 2014*](#) (Feb. 11, 2014).
- Joshua P. Davis & Robert H. Lande, [*Defying Conventional Wisdom: The Case for Private Antitrust Enforcement*](#), 48 GA. L. REV. 1 (2013).
- Robert H. Lande & Joshua P. Davis, [*Comparative Deterrence from Private Enforcement and Criminal Enforcement of the U.S. Antitrust Laws*](#), 2010 BYU J. L. REV. 315 (2011).
- Michael D. Hausfeld, & Bonny E. Sweeney, [*Observations from the Field: ACPERA'S First 13 Years*](#) (Mar. 30, 2017) (Presented in connection with a panel at the ABA Antitrust Spring Meeting: Herding Cartel Cases – Reconciling and Resolving Multiple Proceedings).
- Bonney E. Sweeney, [*Earning ACPERA's Civil Benefits: What Constitutes "Timely" and "Satisfactory" Cooperation?*](#), 29 ANTITRUST 37 (Summer 2015).

SESSION III: GREATEST HITS IN ANTITRUST - MERGERS, MONOPOLY, AND MORE

- [*United States v. Anthem, Inc.*](#), 855 F.3d 345 (D.C. Cir. 2017).
- [*F.T.C. v. Advocate Health Care*](#), No. 15 C 11473, 2017 WL 1022015 (N.D. Ill. Mar. 16, 2017).
- [*F.T.C. v. Penn State Hershey Medical Center*](#), 185 F. Supp. 3d 552 (M.D. Penn. 2016).
- [*F.T.C. v. Actavis, Inc.*](#), 133 S. Ct. 2223 (2013).
- [*F.T.C. v. Ind. Fed'n of Dentists*](#), 476 U.S. 447 (2009)
- [*United States v. AT&T*](#), 552 F. Supp. 131 (D. D.C. 1982).

- Terrell McSweeney, [Making Antitrust Work for the 21st Century](#), Keynote Remarks at the Washington Center for Equitable Growth (Oct. 6, 2016).
- [United States v. US Airways Group, Inc.](#), 38 F. Supp. 3d 69 (D. D.C. 2014).
- [United States v. Bazaarvoice, Inc.](#), No. 13-cv-00133-WHO, 2014 WL 203966 (N.D. Cal. Jan. 8, 2014).
- [F.T.C. v. Promedica Health Sys., Inc.](#) 2011-1 Trade Cas. (CCH) ¶ 77395, 2011 WL 1219281 (N.D. Ohio 2011).
- [United States v. Microsoft Corp.](#) 253 F.3d 34 (D. D.C. 2001).
- Harry First & Andrew I. Gavil, [Re-Framing Windows: The Durable Meaning of the Microsoft Antitrust Litigation](#), 2006 UTAH L. REV. 641 (2006).
- Press Release, Dep't of Justice, [F. Hoffmann-LaRoche and BASF Agree to Pay Record Criminal Fines for Participating in International Vitamin Cartel](#): F. Hoffman-LaRoche Agrees to Pay \$500 Million, Highest Criminal Fine Ever (May 20, 1999).
- [In re NASDAQ Market-Makers Antitrust Litigation](#), 169 F.R.D. 493, 1996-2 Trade Cas. (CCH) ¶ 71643 (S.D. N.Y. 1996).
- [Nat'l Collegiate Athletic Ass'n v. Bod. Of Regents of Univ. of Okla.](#), 468 U.S. 85 (1984)
- [Goldfarb v. Va. State Bar](#), 421 U.S. 773 (1975).
- [United States v. Phila. Nat'l Bank](#), 374 U.S. 321 (1963).

SESSION IV: COMPETITION AND INNOVATION – THEORY, PRACTICE, AND CURRENT CONTROVERSIES

- Alan J. Devlin & Michael S. Jacobs, [Anticompetitive Innovation and the Quality of Invention](#), 27 BERKELEY TECH. L. J. 1 (2012).
- Richard Gilbert and Hilary Greene, [Merging Innovation into Antitrust Agency Enforcement of the Clayton Act](#), 83 GEO. WASH. L. REV. 1919 (2015).
- [Letter from Am. Antitrust Inst., Food & WaterWatch, and National Farmers Union to Renata Hesse, Principal Deputy Assistant Att'y Gen. in re: The Proposed Dow-DuPont Merger](#) (May 31, 2016).
- Press Release, European Commission, [Commission Clears Merger Between Dow and DuPont, Subject to Conditions](#) (Mar. 2, 2017)
- Carl Shapiro, [Competition and Innovation: Did Arrow Hit the Bull's Eye?](#), in THE RATE AND DIRECTION OF INVENTIVE ACTIVITY REVISITED 361 (Josh Lerner & Scott Stern eds., 2012).
- Jonathan B. Baker, [Evaluating Appropriability Defenses for the Exclusionary Conduct of Dominant Firms in Innovative Industries](#), 80 ANTITRUST L. J. 431 (2016).
- C. Scott Hemphill & Bhaven Sampat, [Drug Patents at the Supreme Court](#), 339 SCIENCE 1386 (March 2013).
- [Innovation Markets Selected Bibliography](#)
- [Compendium of Cases Alleging Harm to Innovation](#) (since 2001)