



## **PROCEDURES 2023**

The American Antitrust Institute (AAI) 2023 Antitrust Enforcement Awards will recognize achievements in antitrust litigation by legal practitioners and economists.

### **Judging Committee:**

A Judging Committee shall be established by appointments made by AAI. Appointments shall be for an initial term of one year. Judges shall be ineligible to receive an award. Judges also shall be recused from voting on a nominee if: (1) they played any role in the preparation of the nominee's case under consideration for an award; (2) they work for an organization that employs the nominee under consideration for an award, or have any financial connection with such nominee; or (3) they were significantly involved in another case working with, or opposite to, such nominee in the preceding 18-month period. Should any dispute arise about the need for recusal that cannot be resolved to the satisfaction of all members of the Judging Committee, the matter shall be finally determined by the Committee Chair.

The Judging Committee shall consist of no more than 14, nor less than six, members. A Committee Chair or Co-Chairs shall be appointed to preside over the Judging Committee. The AAI President shall endeavor to achieve a reasonable degree of diversity in these appointments with respect to occupation in private and academic sectors, and professional background in law and economics.

### **Award Qualifications:**

To become eligible for consideration, nominations must relate to antitrust-focused litigation that:

- (a) was initiated in or appealed in any U.S. state or federal court; and
- (b) resulted (whether or not subject to appeal) in a final judgment, verdict, dismissal, conviction, injunction, order, or settlement between July 1, 2022 and June 30, 2023.<sup>1</sup>

### **Criteria:**

Awards shall be granted in three categories, the requirements and criteria for which are outlined in detail below.

<sup>1</sup> Any settlement qualifies as a "final" settlement for purposes of this provision if it has been awarded final approval by a court during the eligibility period; it need not be the ultimate settlement that finally ends the case to qualify for eligibility. Where a motion for final approval is pending during the eligibility period and the settlement is approved by the court (1) after the eligibility period expires, but (2) before the Judging Committee has convened, the Judging Committee may, in its discretion, choose either to consider the nomination or defer its consideration until the following year's Awards Program.

***Outstanding Antitrust Litigation Achievement in Private Law Practice***

This award is limited to private civil actions. Nominees can include a law firm, a law firm team, or individual practitioner(s). Nominees will be judged on:

- (a) the benefit realized by the client, consumers, or class; and
- (b) the positive development of antitrust policy.

***Outstanding Antitrust Litigation Achievement by a Young or Newly Admitted Lawyer*** This award is limited to private civil actions. Nominees should be individual practitioner(s) under 40 years old or admitted to practice for 10 years or less. Nominees will be judged on:

- (a) the individual's contribution to the case;
- (b) the benefit realized by the client, consumers, or class; and
- (c) the positive development of antitrust policy.

***Outstanding Antitrust Litigation Achievement in Economics***

This award is limited to contributions within government or private civil or criminal antitrust litigation by an individual economist, team of economists, or economic consulting firm.

Nominees will be judged on:

- (a) contribution to the development of antitrust-related economic methodology, analysis, and/or presentation; and
- (b) the positive development of antitrust policy.

**Procedures:**

*Form of Nominations.* AAI shall create and disseminate a simple form for submission of nominations for the awards. Submissions may be made by any person provided the person has obtained the certification and signature of an attorney or economist familiar with the case and otherwise complied with the Guidelines for Nominations. Submissions may be made by members of the Judging Committee, except that a Committee member's nomination shall be void if it would require the member's recusal in any award category. Both third-party and self-nominations are welcome; self-nominations are encouraged. Nominators may enter multiple nominations. Anonymous nominations will not be accepted. There is no submission fee.

*Guidelines for Nominations.* Nominations must be certified and signed by an attorney or economist ("practitioner") who is familiar with the case. If a marketing, public relations, or other consultant participates in preparing the nomination form, the certifying practitioner who signs the form avers that he or she has carefully reviewed the nomination for accuracy and completeness. All nominations must include a complete list of the team members, including individuals and their firms who worked on the case and deserve to be recognized. In its discretion, and/or in the interests of fairness, the Judging Committee may supplement or combine multiple, overlapping nominations, but it is not responsible for conducting research into nomination forms or adding firms or individuals not listed on any nomination. Nominees are strongly encouraged to scrupulously avoid excluding deserving individuals or firms from a nomination.

*Timing and Eligibility of Nominations.* A call for submissions will be made on June 26, 2023, with reminders issued (as needed) during the remainder of the submission period. The submission period will close on August 16, 2023. The Judging Committee will confirm eligibility of nominations under the awards criteria between August 23, 2023 and September 13, 2023.

*Committee Deliberations.* The Judging Committee shall complete its review of nominations and selection of honorees in each category on or before September 30, 2023. Prior to the selection of honorees, Committee members shall rank the nominees in each category by secret ballot, and the Committee Chair shall disseminate aggregate ranking results to the full Committee. An absentee Committee member shall be deemed to have abstained. After consideration of aggregate ranking results and oral deliberations, the Committee shall seek a majority consensus on the honorees to be chosen in each category. Absent a majority consensus, or otherwise with the approval of the Committee Chair, any Committee member may call for a majority vote by secret ballot to resolve a disagreement.

*Maximum Number of Honorees.* There shall be no more than four honorees in each award category.

Honorees will be notified of their selection on or about October 3, 2023. If conditions permit, honorees are requested to be present at a November 2, 2023 gala dinner to accept their award.

**Recognition of Awards:**

Honorees will be presented with one engraved trophy. Should honorees wish to purchase additional trophies for their team and other firm members, they may do so for an additional fee per trophy.