

10th International Cartel Workshop **CONFERENCE AGENDA**

Agenda as of 01.07.2014

FEBRUARY 19-21, 2014

REGISTRATION HOURS:

February 18 16:30 – 18:30

February 19 07:30 – 18:30

February 20 08:15 – 18:00

February 21 08:15 – 18:00

WEDNESDAY, FEBRUARY 19, 2014

8:00 – 9:30 **Pre-Workshop International Cartel Enforcement Fundamentals Class:
An Introduction to International Cartel Enforcement Policy & Practice Around the World**

Marcello CALLIARI	TozziniFreire Advogados, São Paulo, Brazil
Linda EVANS	Clayton Utz, Sydney, Australia
James H. MUTCHNIK	Kirkland & Ellis LLP, Chicago, IL
Kenneth R. O'ROURKE	O'Melveny & Myers LLP, Los Angeles, CA
Gerwin VAN GERVEN	Linklaters LLP, Brussels, Belgium

9:30 – 10:00 **Break**

10:00 – 10:15 **Workshop Commences: Delegates Seated & Welcoming Remarks**

Christopher B. HOCKETT	Chair, ABA Section of Antitrust Law
Andrea APPELLA	Co-Chair, IBA Antitrust Committee
Gary R. SPRATLING	Conference Chair Emeritus

10:15 – 10:55 **Introduction to Workshop & Presentation of Hypothetical**

D. Jarrett ARP	Conference Co-Chair
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Demonstration I In-House Counsel Makes A Discovery

Aimee L. IMUNDO	Senior Counsel, Competition Law & Compliance, General Electric Company, Washington, DC
Niall E. LYNCH	Latham & Watkins LLP, San Francisco, CA

10:55 – 12:00 **Demonstration II
An Emergency Meeting of the Board: Should the Company Seek Leniency Markers?**

Randal T. HUGHES	Bennett Jones LLP, Toronto, Canada
Aimee L. IMUNDO	Senior Counsel, Competition Law & Compliance, General Electric Company, Washington, DC
Niall E. LYNCH	Latham & Watkins LLP, San Francisco, CA
Thomas MUELLER	WilmerHale, Washington, DC
Annette Luise SCHILD	Arnold & Porter LLP, Brussels, Belgium
Gerwin VAN GERVEN	Linklaters LLP, Brussels, Belgium

12:00 – 13:15 **Luncheon**

Speaker
Joaquín ALMUNIA Vice President & Commissioner for Competition, European Commission,
Directorate-General for Competition, Brussels, Belgium

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13:15 – 14:15 **Demonstration III**
A Leniency Applicant Evaluates in What Jurisdictions It Should Seek Markers

Ayman GUIRGUIS	Corrs Chambers Westgarth, Sydney, Australia
Randal T. HUGHES	Bennett Jones LLP, Toronto, Canada
Aimee L. IMUNDO	Senior Counsel, Competition Law & Compliance, General Electric Company, Washington, DC
Hideto ISHIDA	Anderson Mori & Tomotsune, Tokyo, Japan
Thomas MUELLER	WilmerHale, Washington, DC
Michael O'KANE	Peters and Peters, London, United Kingdom
Barbara ROSENBERG	Barbosa Müssnich Aragão, São Paulo, Brazil
Gerwin VAN GERVEN	Linklaters LLP, Brussels, Belgium
Hoil YOON	Yoon & Yang LLC, Seoul, Korea

14:15 – 15:15 **Demonstration IV**
The Company Seeks Markers in the United States, EU And Brazil

Scene 1
The company seeks a marker and discusses the terms for perfecting its marker in the United States

Niall E. LYNCH	Latham & Watkins LLP, San Francisco, CA
Thomas MUELLER	WilmerHale, Washington, DC
Brent C. SNYDER	Deputy Assistant Attorney General, U.S. Department of Justice, Antitrust Division Washington, DC

Scene 2
The company seeks a marker and discusses the terms for perfecting its leniency application with the European Commission

Kris DEKEYSER	Head of Unit, Antitrust Case Support and Policy Unit, European Commission, Directorate General for Competition, Brussels, Belgium
Annette Luise SCHILD	Arnold & Porter LLP, Brussels, Belgium
Gerwin VAN GERVEN	Linklaters LLP, Brussels, Belgium

Scene 3
The company seeks a marker and discusses the terms for perfecting its leniency application in Brazil

Carlos RAGAZZO	General Superintendent at Conselho Administrativo de Defesa Econômica CADE, Brasília, Brazil
Barbara ROSENBERG	Barbosa Müssnich Aragão, São Paulo, Brazil

15:15 – 15:35 **Break**

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15:35 – 17:25 **Demonstration V**
Beginning the Cartel investigation: Eight Jurisdictions Devise Their Strategy

Marcus BEZZI Australia	Executive General Manager, Enforcement & Compliance, Australian Competition and Consumer Commission, Canberra, Australia
Carlos RAGAZZO Brazil	General Superintendent, Conselho, Administrativo de Defesa Econômica (CADE), Brasilia, Brazil
Matthew BOSWELL Canada	Acting Senior Deputy Commissioner of Competition, Criminal Matters, Bureau Competition Canada, Gatineau, Canada
Sari SUURNAKKI European Union	Deputy Head of Unit, Cartels I, European Commission, Directorate-General for Competition, Brussels, Belgium
Toshiyuki NAMBU Japan	Deputy Secretary General for International Affairs, Japan Fair Trade Commission, Tokyo, Japan
Daeyoung KIM Korea	Director, International Cartel Investigation Division, Cartel Bureau, Korea Fair Trade Commission, Seoul, Korea
Stephen BLAKE United Kingdom	Senior Director, Cartels & Criminal Enforcement, Office of Fair Trading, London, United Kingdom
Elizabeth B. PREWITT United States	Assistant Chief, New York Field Office U.S. Department of Justice, Antitrust Division, New York, NY

17:25 – 18:30 **Demonstration VI**
Search Warrants and Dawn Raids in Various Jurisdictions

Scene 1
FBI conducts drop-in interview in the United States

Scene 2
FBI executes search warrants in the United States

Robert E. BLOCH	Mayer Brown LLP, Washington, DC
Susan JONES	Head Corporate Legal Antitrust, Novartis International AG, Basel, Switzerland
Elizabeth B. PREWITT	Assistant Chief, New York Field Office U.S. Department of Justice, Antitrust Division, New York, NY

Scene 3
Company responds to dawn raids/searches around the world

Cani FERNÁNDEZ	Cuatrecasas Gonçalves Pereira, Brussels, Belgium
Casey W. HALLADAY	McMillan LLP, Toronto, Canada
Susan JONES	Head Corporate Legal Antitrust, Novartis International AG, Basel, Switzerland
Ana Paula MARTINEZ	Levy & Salomão Advogados, São Paulo, Brazil
Kitoshi YABUKI	Yabuki Law Office, Tokyo, Japan

18:30 – 19:30 **Wine Reception**

Introduction

Claudio TESAURO	President, Italian Antitrust Association, Bonelli Erede Pappalardo, Rome, Italy
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Welcoming Remarks

Giovanni PITRUZZELLA	Chairman, Italian Competition Authority, Rome, Italy
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THURSDAY, FEBRUARY 20, 2014

8:45 – 11:00 **Demonstration VII**
The Defense Responds to the Government Investigation

Scene 1

Counsel meet with client to evaluate developments and discuss how to respond

Linda EVANS	Clayton Utz, Sydney, Australia
Casey W. HALLADAY	McMillan, Toronto, Canada
Susan JONES	Head Corporate Legal Antitrust, Novartis International AG, Basel, Switzerland
Amy B. MANNING	McGuire Woods LLP, Chicago, IL
Ana Paula MARTINEZ	Lew & Salomão Advogados, São Paulo, Brazil
Frank MONTAG	Freshfields Bruckhaus Deringer LLP, Brussels, Belgium
James H. MUTCHNIK	Kirkland & Ellis LLP, Chicago, IL
Tsutomu NAKATO	Hibiya Soyo Law Offices, Tokyo, Japan

Scene 2

Counsel develop and begin to implement investigative plan

Amy B. MANNING	McGuire Woods LLP, Chicago, IL
Robert W. TARUN	Baker McKenzie LLP, San Francisco, CA
John TERZAKEN	Allen & Overy LLP, Washington, DC
Karen L. YEN	Executive Director & Counsel, UBSAG, New York, NY

Scene 3

Counsel conducts first witness interview

Megan DIXON	Hogan Lovells US LLP, San Francisco, CA
James H. MUTCHNIK	Kirkland & Ellis LLP, Chicago, IL
Karen L. YEN	Executive Director & Counsel, UBSAG, New York, NY

11:00 – 11:20 **Break**

11:20 – 12:10 **Demonstration VIII**
Private Claimants Commence Civil Litigation

Scene 1

Plaintiffs counsel meet to discuss which claimants to represent, when and where to file private damages actions, and what claims to assert.

Michael D. HAUSFELD	Hausfeld LLP, Washington, DC
Francis O. SCARPULLA	Zelle Hofmann Voelbel & Mason LLP, San Francisco, CA
Bruce L. SIMON	Pearson Simon & Warshaw LLP, San Francisco, CA
Bonny E. SWEENEY	Robbins Geller Rudman & Dowd LLP, San Diego, CA

Scene 2

Potential corporate claimant assesses whether to sue individually

Kenneth R. O'ROURKE	O'Melveny & Myers LLP, Los Angeles, CA
Valarie C. WILLIAMS	Alston & Bird LLP, Atlanta, GA

12:10 – 12:55 **Luncheon**

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12:55 – 14:30 **IX. Post-Luncheon Program**
Roundtable - Lead Cartel Enforcers from Emerging Jurisdictions

MODERATORS

Thomas O. BARNETT Covington & Burling LLP, Washington, DC
Roxann E. HENRY Morrison & Foerster LLP, Washington, DC

ENFORCERS

China

Li QING Deputy Director, NDRC, Beijing, China

India

L. Rajasekhar REDDY Director General, Antitrust Division, Competition Commission of India, New Delhi, India
(Invited)

Russian Federation

Andrey TSYGANOV Deputy Head, Federal Antimonopoly Service, Moscow, Russian Federation

Singapore

Lee Jwee NGUAN Director, Legal & Enforcement, Competition Commission Singapore, Singapore

14:30 – 15:15 **Demonstration X**
Civil Litigation Defendants Respond to the Complaint

Robert E. BLOCH Mayer Brown LLP, Washington DC
Stephen FISHBEIN Shearman & Sterling LLP, New York, NY
Daryl A. LIBOW Sullivan & Cromwell LLP, Washington, DC
Amy B. MANNING McGuireWoods LLP, Chicago, IL

15:15 – 15:35 **Break**

15:35 – 17:00 **Demonstration XI**
Counsel for Individuals Respond to the Investigation

Scene 1

Counsel meet with individual and consider next steps

Kathleen M. BEASLEY Haynes & Boone LLP, Dallas, TX
Ray V. HARTWELL III Hunton & Williams LLP, Washington, DC
Mark R. ROSMAN Wilson Sonsini Goodrich & Rosati PC, Washington, DC

Scene 2

Counsel for an individual meet with counsel for the company

Megan DIXON Hogan Lovells US LLP, San Francisco, CA
Ray V. HARTWELL III Hunton & Williams LLP, Washington, DC

Scene 3

Counsel for an individual meet with the Antitrust Division

Kathleen M. BEASLEY Haynes & Boone LLP, Dallas, TX
Mark R. ROSMAN Wilson Sonsini Goodrich & Rosati PC, Washington, DC
Brent C. SNYDER Deputy Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC

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17:00 – 18:00 **Demonstration XII**

Court Holds Initial Hearing In Civil Litigation

Stephen FISHBEIN The Honorable	Shearman & Sterling LLP, New York, NY
Susan Y. ILLSTON	U.S. District Judge, U.S. District Court, Northern District of California, San Francisco, CA
Donald C. KLAWITER	Sheppard Mullin Richter & Hampton LLP, Washington, DC
Daryl A. LIBOW	Sullivan & Cromwell LLP, Washington, DC
Bruce L. SIMON	Pearson Simon & Warshaw LLP, San Francisco, CA
Bonny E. SWEENEY	Robbins Geller Rudman & Dowd LLP, San Diego, CA

18:00 – 19:00 **Reception**

FRIDAY, FEBRUARY 21, 2014

8:45 – 9:45 **Demonstration XIII**

Making the Decision: Companies Decide Whether to Admit the Violation and Cooperate or to Defend Against the Government Investigation

Scene 1

The company decides to defend against all government investigations

Stefano GRASSANI	Pavia e Ansaldo, Milan, Italy
Katherine L. KAY	Stikeman Elliott LLP, Toronto, Canada
Harumichi UCHIDA	Mori Hamada & Matsumoto, Tokyo, Japan
A. Paul VICTOR	Winston & Strawn LLP, New York, NY

Scene 2

The company decides to admit the violation and cooperate

Thomas O. BARNETT	Covington & Burling LLP, Washington, DC
Susan JONES	Head Corporate Legal Antitrust, Novartis International AG, Basel, Switzerland
Kimitoshi YABUKI	Yabuki Law Office, Tokyo, Japan
Christof R.A. SWAAK	Stibbe, Amsterdam, The Netherlands

9:45 – 10:05 **Break**

10:05 – 11:45 **Demonstration XIV**

Negotiating a Disposition in the U.S., EU and Canada

Scene 1

Negotiating a plea agreement in the U.S.

Alan R. DIAL	King & Spalding LLP, Washington, DC
Roxann E. HENRY	Morrison & Foerster LLP, Washington, DC
Elizabeth B. PREWITT	Assistant Chief, New York Field Office U.S. Department of Justice, Antitrust Division, New York, NY
Brent C. SNYDER	Deputy Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC

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Scene 2

Discussing a settlement in the EU

Kris DEKEYSER	Head of Unit, Cartels Settlements, European Commission, Directorate-General for Competition, Brussels, Belgium
Caní FERNÁNDEZ	Cuatrecasas Gonçalves Pereira, Brussels, Belgium
Christof R.A. SWAAK	Stibbe, Amsterdam, The Netherlands
Eric VAN GINDERACHTER	Director, Cartels, European Commission, Directorate General for Competition, Brussels, Belgium

Scene 3

Negotiating a disposition in Brazil

Marcello CALLIARI	TozziniFreire Advogados, São Paulo, Brazil
Ana Paula MARTINEZ	Levy & Salomão Advogados, São Paulo, Brazil
Carlos RAGAZZO	General Superintendent, Conselho Administrativo de Defesa Econômica (CADE), Brasília, Brazil

11:45 – 12:30 **Luncheon**

12:30 – 14:30 **XV. Post-Luncheon Program: Enforcers Roundtable**

MODERATER

Gary R. SPRATLING Gibson Dunn & Crutcher LLP

ENFORCERS

Sarah COURT Commissioner, Australian Competition and Consumer Commission, Canberra, Australia
Australia

Vinicius Marques DE CARVALHO President, Conselho Administrativo de Defesa Econômica (CADE), Brasília, Brazil
Brazil

John PECMAN Commission of Competition, Competition Bureau Canada, Gatineau, Canada
Canada

Eric VAN GINDERACHTER Director, Cartels, European Commission, Directorate-General for Competition, European Union
Brussels, Belgium

Hiroyuki ODAGIRI Commissioner, Japan Fair Trade, Commission, Tokyo, Japan
Japan

Invited Korea Fair Trade Commission, Seoul, Korea
Korea

Philip COLLINS Chairman, Office of Fair Trading, London, United Kingdom
United Kingdom

William J. BAER Assistant Attorney General, U.S. Department of Justice, Antitrust Division, Washington, DC
United States

14:30 – 16:00 **Demonstration XVI**
Counsel for Plaintiffs and Defendants Discuss Settlement

Michael D. HAUSFELD	Hausfeld LLP, Washington, DC
Michael R. LAZERWITZ	Cleary Gottlieb Steen & Hamilton LLP, New York, NY
John M. MAJORAS	Jones Day, Washington, DC
Bruce L. SIMON	Pearson Simon & Warshaw LLP, San Francisco, CA
Bonny E. SWEENEY	Robbins Geller Rudman & Dowd LLP, San Diego, CA

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16:00 – 16:20 **Break**

16:20 – 17:45 **Demonstration XVII**
What to Avoid: A Concluding Roundtable Concerning the Biggest Mistakes Counsel Make in Cartel Matters

MODERATOR

D. Jarrett ARP Gibson Dunn & Crutcher LLP, Washington, DC

PANELISTS

Linda EVANS Clayton Utz, Sydney, Australia

Randal T. HUGHES Bennett Jones LLP, Toronto, Canada

Frank MONTAG Freshfields Bruckhaus Deringer LLP, Brussels, Belgium

Thomas MUELLER WilmerHale, Washington, DC

Francis O. SCARPULLA Zelle Hoffmann Voelbel & Mason LLP, San Francisco, CA

Bruce L. SIMON Pearson Simon & Warshaw LLP, San Francisco, CA

17:45 – 18:00 **Concluding Comments**

18:00 **Adjourn/NY to pick up CLE**