
WilmerHale Provides Wide-Ranging Antitrust Insights at ABA Antitrust Spring Meeting

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WilmerHale was a significant contributor to the 62nd Spring Meeting of the ABA Section of Antitrust Law, an annual three-day event recognized as the largest antitrust and consumer protection conference in the world, with nearly 2,900 registered participants. WilmerHale Partner [Hartmut Schneider](#) co-chaired the Antitrust Spring Meeting for the second consecutive year and co-moderated the traditional "Hot Topics on Antitrust" panel, which this year focused on antitrust developments in China, Europe and Brazil in addition to the United States. In addition to Schneider, several other WilmerHale partners participated in panels over the course of this year's conference on a wide range of global hot topics in antitrust and consumer protection law.

The topics of discussion in each panel generated thought-provoking analysis on relevant issues within the antitrust and competition industry. The panels collectively received press coverage from various news publications reaching global audiences including *Policy and Regulatory Report (PaRR)*, *MLex* and *Global Competition Review (GCR)*.

WilmerHale Partner [Mark Ford](#)'s panel during the first day of the conference explored the topic of counseling on reverse-payment settlements around the world. A [PaRR article](#) that covered the panel quoted Ford as saying that an uncertainty created by a Supreme Court ruling in the Actavis pay-for-delay case "continues to cloud the world of reverse payments in the US." The discussion was also covered by *GCR* in an [article](#) published on March 26.

A [PaRR article](#) published on March 26 reported on Partner Eric Mahr's panel on civil litigation as it pertains to criminal prosecutions. The article summarized the main discussion points delivered by the members of the panel and quoted Mahr as saying that the Antitrust Criminal Penalty Enhancement and Reform Act has not had an enormous impact on civil cartel litigation in the United States because "the statute essentially writes into law practices that already were in effect" and because "[t]he possibility that civil damages might be lower sometime in the future is far outweighed by the possibility of prison, massive fines and the reputational damage caused by a guilty plea."

Partner [Heather Tewksbury](#), who recently joined WilmerHale from the Antitrust Division of the US Department of Justice, contributed to a panel about the impact of parallel investigations into cartels

on corporate fines. [An article](#) published in *GCR* summarizing the corporate fines discussion quoted Tewksbury as noting, "...While there is no overarching guiding principle on the myriad factors that will go into calculating any one fine, what is crucial is that the DoJ is transparent on a case-by-case basis in explaining how the particular fact of a case help shape a particular fine." Her panel was also covered in an [article PaRR](#) published on March 27 titled, "Prison time for cartel offenses outside of US could alter cooperation calculus."

For the third consecutive year, WilmerHale Partner [Molly Boast](#), who held senior positions in the Antitrust Division of the Department of Justice and the Bureau of Competition of the Federal Trade Commission, presented on a panel during the conference. Her panel this year discussed distribution agreements within the United States and abroad.

Immediately following the close of this year's conference, Philip Lowe spoke as a guest at WilmerHale's annual Spring Luncheon. He reflected on his time as the Director General of the European Commission's Competition Directorate from 2002–2010 and then as Director General of the Directorate-General for Energy through 2013. As a prominent member of the antitrust and competition community for much of the past two decades, Lowe played a central role in responding to the financial and economic crisis and shared his viewpoint on that professional experience.

To learn more about the topics described above, please reach out to the relevant WilmerHale [Antitrust and Competition Practice](#) partner.