

## MERGER ANTITRUST LAW

LAWJ/G-1469-05  
Georgetown University Law Center  
Fall 2018

Tuesdays and Thursdays, 3:30-4:55 pm  
Dale Collins  
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### CLASS 13 WRITTEN ASSIGNMENT

#### Instructions

Submit by email by 3:30 pm on Tuesday, October 16  
Send to [dale.collins@shearman.com](mailto:dale.collins@shearman.com)  
Subject line: Merger Antitrust Law: Assignment for Class 13

#### Assignment

Calls for a memorandum to a partner (which may be sent to a client)

John Clark, a partner in Able & Baker LLP with whom you work, has asked you to prepare a short memorandum explaining the role of the *Brown Shoe* factors in product market definition. He is planning to send the memorandum to the general counsel of a client, so he would like the memorandum to address why courts define markets in Section 7 cases, what is the judicial test for product market definition, and how the *Brown Shoe* factors are used in applying this test.

This memorandum is limited to the *Brown Shoe* factors. You do not have to address the use of the hypothetical monopolist test under the Horizontal Merger Guidelines (although you can anticipate that this assignment is coming).

If you have any questions, send me an e-mail. See you in class. Dale