

MERGER ANTITRUST LAW

LAWJ/G-1469-05
Georgetown University Law Center
Fall 2020

Tuesdays and Thursdays, 3:00-5:00 pm
Dale Collins
wdc30@georgetown.edu
www.appliedantitrust.com

CLASS 14 WRITTEN ASSIGNMENT

Instructions

Submit by email by 3:00 pm on Tuesday, October 15

Send to wdc30@georgetown.edu

Subject line: Merger Antitrust Law: Assignment for Class 14

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

Dianne Lockhart, a partner in Able & Baker LLP with whom you work, is working on a merger in an oligopolistically structured market. Ms. Lockhart understands that the federal antitrust enforcement agencies have a theory of anticompetitive harm called “coordinated effects” or “coordinated interaction” that they can apply in some circumstances to mergers in this type of market, but she is not familiar with the details. Ms. Lockhart would like you to prepare a brief memorandum, which she may send to the client, explaining the coordinated effects theory of anticompetitive harm under the 2010 Horizontal Merger Guidelines. She also would like you to address what factors the agencies consider in deciding whether a merger is anticompetitive under the coordinated effects theory.

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