

Georgetown University Law Center
Merger Antitrust Law
Professor Dale Collins
Fall 2022
Tuesdays and Thursdays, 3:30-5:30 pm

CLASS SCHEDULE

Unit 1. Introduction to Merger Antitrust Law: TransDigm/Takata

Class 1 August 30 Tuesday Introduction to the course
TransDigm/Takata case study

Unit 2. Predicting Merger Antitrust Enforcement Challenges

Class 2 September 1 Thursday Predicting merger antitrust enforcement challenges
Advising clients at the first client meeting
DOJ/FTC 2010 Horizontal Merger Guidelines (reading)

Unit 3. Some Merger Antitrust History

Class 3 September 6 Tuesday The common law nature of U.S. antitrust law
The evolution of merger antitrust law

Unit 4. The DOJ/FTC Merger Review Process

Class 4 September 8 Thursday The Hart-Scott-Rodino Act and merger control filings
DOJ/FTC merger investigations
Making the first presentation to the investigating agency
Managing second request investigations

Unit 5. Merger Antitrust Settlements

Class 5 September 13 Tuesday Settling merger antitrust investigations and litigations
The DOJ/FTC’s “acceptance calculus”
Consent remedies in horizontal cases: The details
What the agencies demand in settlements
Settlement documents and DOJ/FTC procedures
Consent decree violations

Unit 6. Merger Antitrust Litigation

Class 6 September 15 Thursday Litigating merger antitrust cases
DOJ and FTC litigation forums and procedures
Preliminary and permanent injunctions

Unit 7 Hertz/Avis Budget/Dollar Thrifty

Class 7	September 20	Tuesday	The 2010 Hertz/Dollar Thrifty deal
Class 8	September 22	Thursday	Antitrust considerations The 2010 merger agreement The bidding war FTC review and settlement/aftermath

Unit 8. Competition Economics

Class 9	September 27	Tuesday	Demand, costs, and profit-maximization
--	September 29	Thursday	CLASS POSTPONED
Class 10	October 4	Tuesday	Markets and market equilibrium
--	October 5	Wednesday	Economics review session (OPTIONAL)

Unit 9. H&R Block/TaxACT

Class 11	October 6	Thursday	Analysis of the district court opinion
	October 11	Tuesday	NO CLASS (legislative Monday)
Class 12	October 12	Wednesday	Analysis of the district court opinion— RESCHEDULED CLASS
Class 13	October 13	Thursday	Analysis of the district court opinion
Class 14	October 18	Tuesday	Analysis of the district court opinion
Class 15	October 20	Thursday	Analysis of the district court opinion

Unit 10. U.S. Sugar/Imperial Sugar

Class 16	October 25	Tuesday	Analysis of the district court opinion
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Unit 11. Sysco/U.S. Foods

Class 17	October 27	Thursday	Analysis of the district court opinion
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Unit 12. A Case Study Problem: Ice Cream Merger

Class 18	November 1	Tuesday	Review of Class 18 homework problem
Class 19	November 3	Thursday	Continued analysis of homework problem

Unit 13. Staples/Office Depot

Class 20	November 8	Tuesday	Analysis of the district court opinion
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Unit 14. Potential Competition Mergers

Class 21	November 10	Thursday	Mylan/Perrigo Medtronic/Covidien
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Mallinckrodt (Questcor)/Novartis
Steris/Synergy Health
Nielsen/Arbitron
Facebook/Instagram/WhatsApp
Meta/Within

November 10 Thursday **GRADED HOMEWORK ASSIGNMENT
POSTED (in the evening)
Due Monday, November 21 by 8:00 pm**

Unit 15. Vertical Mergers

Class 22 November 15 Tuesday General Electric/Avio
Comcast/NBCUniversal
AT&T/Time Warner
Class 23 November 17 Thursday AT&T/Time Warner (con't)
Coca-Cola/Coca-Cola Enterprises

Unit 16. Graded Homework Assignment

-- November 21 Monday **GRADED HOMEWORK ASSIGNMENT DUE
BY 8:00 PM**

Class 24 November 22 Tuesday Review graded homework assignment

 November 24 Thursday NO CLASS—THANKSGIVING

Unit 17. UnitedHealth/Change Healthcare

Class 25 November 29 Tuesday Analysis of the district court opinion

Unit 18. Sabre/FareLogix [or perhaps Penguin/Simon & Schuster]

Class 26 December 1 Thursday Analysis of the district court opinion

-- December 2 Friday **OPTIONAL REVIEW CLASS**

FINAL EXAM: Tuesday, December 6 – Thursday, December 15 (5-hour open book take home)