

**Georgetown University Law Center**  
**Merger Antitrust Law**  
**Professor Dale Collins**  
**Fall 2023**  
**Tuesdays and Thursdays, 11:10 am - 1:10 pm**

**CLASS SCHEDULE**

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

Class 1 August 29 Tuesday Introduction to the course  
TransDigm/Takata case study

**Unit 2. Predicting Merger Antitrust Enforcement Challenges**

Class 2 August 31 Thursday Predicting merger antitrust enforcement challenges  
Advising clients at the first client meeting  
DOJ/FTC 2010 Horizontal Merger Guidelines

**Unit 3. Some Merger Antitrust History**

Class 3 September 5 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 7 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 12 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  
Kroger/Ablertsons

**Unit 6. Merger Antitrust Litigation**

Class 6 September 14 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 19	Tuesday	The 2010 Hertz/Dollar Thrifty deal
Class 8	September 21	Thursday	Antitrust considerations Contractual antitrust risk-shifting provisions The 2010 merger agreement The bidding war FTC review and settlement/aftermath

**Unit 8. Competition Economics**

Class 9	September 26	Tuesday	Demand, costs, and profit-maximization
Class 10	September 28	Thursday	Markets and market equilibrium
—	September 29	Friday	Economics review session (OPTIONAL)

**Unit 9. H&R Block/TaxACT**

Class 11	October 3	Tuesday	Analysis of the district court opinion
Class 12	October 5	Thursday	Analysis of the district court opinion
	October 10	Tuesday	NO CLASS (legislative Monday)
Class 13	October 12	Thursday	Analysis of the district court opinion
Class 14	October 17	Tuesday	Analysis of the district court opinion
Class 15	October 19	Thursday	Analysis of the district court opinion

**Unit 10. U.S. Sugar/Imperial Sugar**

Class 16	October 24	Tuesday	Analysis of the district court opinion
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**Unit 11. Sysco/U.S. Foods**

Class 17	October 26	Thursday	Analysis of the district court opinion
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**Unit 12. A Case Study Problem: Ice Cream Merger**

Class 18	October 31	Tuesday	Review of Class 18 homework problem
Class 19	November 2	Thursday	Continued analysis of homework problem

**Unit 13. Staples/Office Depot**

Class 20	November 7	Tuesday	Analysis of the district court opinion
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#### **Unit 14. Potential Competition Mergers**

Class 21 November 9 Thursday Mylan/Perrigo  
Medtronic/Covidien  
Mallinckrodt (Questcor)/Novartis  
Steris/Synergy Health  
Facebook/Instagram/WhatsApp  
Meta/Within

November 10 Friday Optional horizontal mergers review session

**GRADED HOMEWORK ASSIGNMENT  
POSTED (in the evening)  
Due Monday, November 20 by 8:00 pm**

#### **Unit 15. Vertical Mergers**

Class 22 November 14 Tuesday General Electric/Avio  
Comcast/NBCUniversal  
AT&T/Time Warner

Class 23 November 16 Thursday AT&T/Time Warner (con't)  
Illumina/Grail  
Coca-Cola/Coca-Cola Enterprises

#### **Unit 16. Graded Homework Assignment**

— November 20 Monday **GRADED HOMEWORK ASSIGNMENT DUE  
BY 8:00 PM**

Class 24 November 21 Tuesday Review graded homework assignment

November 23 Thursday NO CLASS—THANKSGIVING

#### **Unit 17. UnitedHealth/Change Healthcare**

Class 25 November 28 Tuesday Analysis of the district court opinion

#### **Unit 18. [TO BE DETERMINED]**

Class 26 November 30 Thursday

-- December 1 Friday **OPTIONAL REVIEW CLASS**

**FINAL EXAM:** Tuesday, December 5 – Thursday, December 14 (5-hour open book take home)