

MERGER ANTITRUST LAW

LAWJ/G-1469-05
Georgetown University Law Center
Fall 2024

Tuesdays and Thursdays, 3:30 pm – 5:30 pm
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CLASS 15 WRITTEN ASSIGNMENT

Instructions

Submit by email by 3:30 pm on Thursday, October 17

Send to wdc30@georgetown.edu

Subject line: Merger Antitrust Law: Assignment for Class 15

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

Dianne Lockhart has read your memorandum on coordinated effects. She would now like you to expand the memo to include a description of the unilateral effects theory of anticompetitive harm. As before, she also would like you to discuss the general idea behind unilateral effects as a theory of anticompetitive harm under Section 7, identify the required elements of the theory, and discuss factors the agencies consider in deciding whether the theory applies to a particular merger.

Part B: Add to the memorandum

Illustrate your description of unilateral effects by analyzing the relevant facts in the *H&R Block* opinion and assessing whether the theory applies. [NB: While you can use as much of the *H&R Block* analysis as you like, be sure that your evaluation follows the elements of the theory and the relevant factors you set forth earlier in the memorandum.]

Part C: Add to the memorandum

Explain how to estimate a single-product price increase resulting from a merger's anticompetitive unilateral effects. Illustrate this estimation by estimating the price increase of H&R Block's product using the relevant facts in the opinion.

If you have any questions, send me an email. See you in class.