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CLE Program

Program Committee Presents

Antitrust Cartel

Date: Tuesday, April 7, 2015

Time: 5:45 – 7:45 p.m.

Location: Daniel Patrick Moynihan U.S. Courthouse, 500 Pearl Street,
Ceremonial Courtroom, 9th floor, New York, NY

Judicial Moderator

The Honorable Lewis A. Kaplan

U.S. District Judge – SDNY

Panelists

Lauren L. Dubick, Esq.

Kaplan Fox & Kilsheimer LLP

Stephen R. Fishbein, Esq.

Shearman & Sterling LLP

Calvin S. Goldman, Q.C.

Partner, Goodmans LLP

Stephen McCahey

Assistant Chief, Antitrust Division, United States Department of Justice

Program Coordinator

Greg D. Andres, Esq., Davis Polk & Wardwell LLP

Robert N. Kaplan, Esq., Kaplan Fox & Kilsheimer LLP

Federal Bar Council Program Committee Chair

Seth C. Farber, Esq., Winston & Strawn LLP

Program Description:

In recent years, there has been increasing worldwide coordination among Competition Authorities, including the U.S. Department of Justice (DOJ), the

European Union (EU), Canada, Japan, Korea, and Australia. There have been coordinated dawn raids and multiple prosecutions in these various jurisdictions. What does a raided company do? How does the General Counsel manage the multiple jurisdictions with different laws, procedures, and different Attorney Client privileges? What is the exposure of individual executives in such multi-national investigations? In addition, some of the jurisdictions have leniency programs whereby in the U.S. the first company to disclose the cartel and provide complete and continuing cooperation to the DOJ receives conditional leniency from criminal prosecution. In the EU and other jurisdictions there can be multiple companies admitted into the leniency program. In the U.S., there is virtually always follow on-treble damage litigation. Further, under the Antitrust Criminal Penalty Enforcement and Reform Act (ACPERA) statute, the leniency applicant, if it cooperates with the private plaintiffs, is liable only for single damages for its own sales rather than for joint liability and treble damages.

CLE Credit Information

This program will provide 2.0 transitional/non-transitional CLE credits in Areas of Professional Practice. CLE credit is provided free of charge to all Federal Bar Council members in good standing.

Registration Information

All attendees must [register online](#). There is a \$150.00 charge for CLE credit for non-members.

Federal Bar Council Membership Information

Non-members may join online at www.federalbarcouncil.org. Dues for membership in the Federal Bar Council are as follows: free for federal judicial law clerks in the Second Circuit (for a maximum of 2 years); \$75 for retiree members; \$100 for lawyers who practice in the federal court as government employees or who practice law for not-for-profit entities; \$125 for lawyers admitted for 5 years or less; \$125 for associate members, those who live and practice outside the Second Circuit; \$300 for regular members; and \$475 for sustaining members. Membership includes, among other things, **free CLE Programs**, a free copy of the *Second Circuit Redbook*, a free subscription to the *Federal Bar Council Quarterly* and advance invitations to lectures and events. Sustaining members also receive a complimentary copy of *The Remarkable Hands, An Affectionate Portrait* and identification as a sustaining member in the membership listing section of the *Second Circuit Redbook*.

Financial Hardship Policy

The Federal Bar Council is pleased to offer a 50% discount on the cost of its CLE Programs to attorneys who are unemployed, employed in the public sector or who work for a not-for-profit entity and who can establish financial hardship. The original application for this discount must be submitted to the Federal Bar Council at least two weeks prior to the CLE Program for which it applies. Please contact the Council for an application form.

The Federal Bar Council is certified by the New York State Continuing Legal Education Board as an Accredited Provider of Legal Education in New York State.

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