



8th Annual Merger Conference

26th November 2009
 The Law Society, 113 Chancery Lane,
 London, WC2A 1PL

Sponsored by



SHEARMAN & STERLING^{LLP}

Programme

Time	Title	Chair	Speakers
09.00	Registration with Tea/Coffee		
09.30	<p>Merger policy in a recession and recovery – spotlight on the UK</p> <ul style="list-style-type: none"> - HBOS to HMV - how has UK merger control dealt with the recession? (counterfactual/flailing firm/failing firm). - The Institutions - joint work, evolution of the system? - Exceptions to the duty to refer. Is the balance right? - De minimis: How much does it add to the cases that matter? What does the OFT's decisional practice now offer in terms of practical guidance? - Update on Upfronts: Practical implications in a voluntary system? Should parties now consider fixing it first? 	<p>Matthew Readings, <i>Shearman & Sterling LLP</i></p>	<p>Diana Guy, <i>Competition Commission</i></p> <p>Johannes Luebking, <i>European Commission</i></p> <p>Alistair Lindsay, <i>Monckton Chambers</i></p> <p>Nick Scola, <i>Office of Fair Trading</i></p>

11.00	Tea & Coffee Break		
11.30	<p>How healthy is our understanding of ‘closeness of competition’? - Whole Foods/Wild Oats versus Nuts, Seeds and Fruits (Holland & Barrett/Julian Graves):</p> <ul style="list-style-type: none"> - What does closeness of competition mean? - What is the role of market definition in mergers with differentiated products? - Is it ever appropriate to make Phase I presumptions based on margins and diversion ratios? - Do we give enough credit to supply side responses? Application to retail mergers: local vs national markets 	<p>Philip Marsden, <i>Director, Competition Law Forum, British Institute of International and Comparative Law</i></p>	<p>Miguel de la Mano, <i>European Commission</i></p> <p>Amelia Fletcher <i>Office of Fair Trading</i></p> <p>Simon Bishop, <i>RBB Economics</i></p>
13.00	Lunch		
14.00	<p>Coordinated effects on the rise? Yeast mergers (ABF/GBI)</p> <ul style="list-style-type: none"> - How reliably can we identify existing coordination – and where should the burden lie? - When do mergers strengthen or weaken existing coordination? - To what extent can we move beyond the “collusion check-list”? 	<p>Derek Ridyard, <i>RBB Economics</i></p>	<p>Antonia Horrocks, <i>Shearman & Sterling LLP</i></p> <p>Miguel de la Mano, <i>European Commission</i></p> <p>Alison Oldale, <i>Competition Commission</i></p>
15.15	<p>Special topic: EU Merger Control Five Years After The Introduction Of The SIEC Test: What Explains the Drop in Enforcement Activity?</p>		<p>Kay Parplies, <i>European Commission</i></p>
16.00	Reception		