

Georgetown University Law Center
Merger Antitrust Law
Professor Dale Collins
Fall 2024
Tuesdays and Thursdays, 3:30 pm – 5:30 pm

CLASS SCHEDULE

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

Class 1	August 27	Tuesday	Introduction to the course TransDigm/Takata case study
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Unit 2. Predicting Merger Antitrust Enforcement Challenges

Class 2	August 29	Thursday	Predicting merger antitrust enforcement challenges Advising clients at the first client meeting DOJ/FTC 2010 Horizontal Merger Guidelines
Class 3	September 3	Tuesday	First meeting with client to assess antitrust risk (first half of class)

Unit 3. Some Merger Antitrust History

Class 3	September 3	Tuesday	The common law nature of U.S. antitrust law The evolution of merger antitrust law (second half of class)
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Unit 4. The DOJ/FTC Merger Review Process

Class 4	September 5	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
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Unit 5. Merger Antitrust Settlements

Class 5	September 10	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/Albertsons
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Unit 6. Merger Antitrust Litigation

Class 6	September 12	Thursday	Litigating merger antitrust cases DOJ and FTC litigation forums and procedures Preliminary and permanent injunctions “Litigating the fix” ABI/Grupo Modelo Assa Abloy/Spectrum Brands Facebook/Instagram/WhatsApp (if decided)
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Unit 7 Hertz/Avis Budget/Dollar Thrifty

Class 7	September 17	Tuesday	The 2010 Hertz/Dollar Thrifty deal
Class 8	September 19	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 24	Tuesday	Demand, costs, and profit-maximization
Class 10	September 26	Thursday	Markets and market equilibrium
—	September 27	Friday	Economics review session (OPTIONAL)

Unit 9. H&R Block/TaxACT

Class 11	October 1	Tuesday	Analysis of the district court opinion
Class 12	October 3	Thursday	Analysis of the district court opinion
Class 13	October 8	Tuesday	Analysis of the district court opinion
Class 14	October 10	Thursday	Analysis of the district court opinion
	October 15	Tuesday	NO CLASS (legislative Monday)
Class 15	October 17	Thursday	Analysis of the district court opinion

Unit 10. U.S. Sugar/Imperial Sugar

Class 16	October 22	Tuesday	Analysis of the district court opinion
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Unit 11. Sysco/U.S. Foods

Class 17	October 24	Thursday	Analysis of the district court opinion
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Unit 12. A Case Study Problem: Ice Cream Merger

Class 18	October 29	Tuesday	Review of Class 18 homework problem
Class 19	October 31	Thursday	Continued analysis of homework problem

Unit 13. Staples/Office Depot

Class 20 November 5 Tuesday Analysis of the district court opinion

Unit 14. Potential Competition Mergers

Class 21 November 7 Thursday Mylan/Perrigo
Medtronic/Covidien
Mallinckrodt (Questcor)/Novartis
Steris/Synergy Health
Facebook/Instagram/WhatsApp
Meta/Within

November 8 Friday Optional horizontal mergers review session

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

Unit 15. Vertical Mergers

Class 22 November 12 Tuesday General Electric/Avio
Comcast/NBCUniversal
AT&T/Time Warner

Class 23 November 14 Thursday AT&T/Time Warner (con't)

Class 24 November 19 Tuesday AT&T/Time Warner (con't)
Coca-Cola/Coca-Cola Enterprises

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

Unit 16. Graded Homework Assignment

Class 25 November 21 Thursday Review graded homework assignment

Unit 17. UnitedHealth/Change Healthcare

Class 26 November 26 Tuesday Analysis of the district court opinion

November 28 Thursday NO CLASS—THANKSGIVING

-- December 4 Wednesday **OPTIONAL REVIEW CLASS**

FINAL EXAM: Friday, December 6 – Friday, December 13 (5-hour open book take home)