

MERGER ANTITRUST LAW

LAW 1469
Georgetown University Law Center
Fall 2025

Tuesdays and Thursdays, 3:30 pm – 5:30 pm
Dale Collins
wdc30@georgetown.edu
www.appliedantitrust.com

CLASS 19 WRITTEN ASSIGNMENT

Instructions

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

Send to wdc30@georgetown.edu

Subject line: Merger Antitrust Law: Assignment for Class 19

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

Dianne Lockhart, the partner with whom you have been working at Able & Baker LLP, has been impressed by the memoranda you have written on recapture and auction unilateral effects. She would now like you to write a memo explaining potential competition theories—both actual potential competition and perceived potential competition—as well as nascent competition. As with your prior memos, she would like you to discuss the general idea behind these theories of anticompetitive harm under Section 7, identify the required elements of each theory, and discuss the factors the agencies consider when deciding whether these theories apply to a particular merger.

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