



NAME OF EVENT: Fighting Modern Monopolies: What's at Stake in Antitrust Enforcement

DATE | TIME | LOCATION: March 19, 2024 | 1-2 PM Eastern Time | Online

BRIEF DESCRIPTION: Increased corporate consolidation across industries has harmed Americans, as consumers, as workers, and as owners of small businesses. By protecting fair competition, antitrust enforcement contributes to lower consumer prices, increased jobs and wages, innovation, and better-quality goods and services. In these ways, antitrust enforcement profoundly affects Americans' everyday lives. Both federal and state enforcers have roles to play in this important work. Recently, we have seen them act independently and together to challenge consolidation and anti-competitive practices in several high-profile cases, including against Google, Amazon, and Kroger-Albertsons. What challenges are federal and state antitrust enforcers facing? How can these challenges be overcome to achieve the promises of our antitrust laws?

SPEAKERS' NAMES AND BIOS:

- **Elizabeth Odette**, Assistant Attorney General and Manager of the Antitrust Division in the Office of the Minnesota Attorney General (*moderator*)
- **Alvaro Bedoya**, Commissioner of the U.S. Federal Trade Commission
- **Gwendolyn J. Lindsay Cooley**, Assistant Attorney General for Antitrust in the Wisconsin Department of Justice and Chair of the Multistate Antitrust Task Force of the National Association of Attorneys General
- **Doha Mekki**, Principal Deputy Assistant Attorney General for the Antitrust Division of the U.S. Department of Justice

AGENDA OF PROGRAM:

- Welcome (5 mins.)
- Introduction (5 mins.)
- Moderated Conversation (40-45 mins.)
- Q&A (5-10 mins.)

READING MATERIALS:

Alexandra Alter & Elizabeth A. Harris, *Judge Blocks a Merger of Penguin Random House and Simon & Schuster*, N.Y. TIMES (Oct. 31, 2022).

Katie Arcieri, *Google Play Deal Rebuke Puts Settling Defendants on Notice*, BLOOMBERG LAW (Mar. 6, 2024).

[Complaint, United States v. Google LLC](#), No. 1:23-cv-00108 (E.D. Va. Jan. 1, 2023), ECF No. 1.

[Fact Sheet: FTC Proposes Rule to Ban Noncompete Clauses, Which Hurt Workers and Harm Competition](#), FED. TRADE COMM'N.

Illumina, Inc. v. Fed. Trade Comm'n, 88 F.4th 1036 (5th Cir. 2023).

Danielle Kaye, *States Use Authority to Assert Home Turf in Antitrust Cases*, BLOOMBERG LAW (Feb. 5, 2024).

David McCabe & Cecelia Kang, *In Its First Monopoly Trial of Modern Internet Era, U.S. Sets Sights on Google*, N.Y. TIMES (Sept. 12, 2023).

J. Edward Moreno & Santul Nerkar, *Judge Blocks JetBlue from Acquiring Spirit Airlines*, N.Y. TIMES (Jan. 16, 2024).

ALEXANDER H. PEPPER, CONG. RSCH. SERV., LSB10956, *THE DOJ'S AD TECH ANTITRUST CASE AGAINST GOOGLE: A BRIEF OVERVIEW* (2023).

Noelle Phillips, *Colorado AG Breaks Up USAP Anesthesiology Monopoly that Dominated Denver and Durango Health Care Markets*, DENVER POST (Feb. 27, 2024).

Public Redacted Memorandum and Opinion on Summary Judgment, *United States v. Google LLC*, No. 1:20-cv-03010-APM (D.D.C. Oct. 6, 2023), ECF No. 728.

Public Redacted Complaint, *Fed. Trade Comm'n v. Kroger Co.*, No. 3:24-cv-00347-AN (D. Or. Feb. 26, 2024), ECF No. 1.

Public Redacted Complaint, *Kroger Co.*, No. D-9428 (F.T.C. Feb. 26, 2024).

Revised Redacted Complaint, *Fed. Trade Comm'n v. Amazon.com, Inc.*, No. 2:23-cv-01495-JHC (W.D. Wash. Nov. 2, 2023), ECF No. 114.

Alina Selyukh, *FTC and 9 States Sue to Block Kroger-Albertsons Supermarket Merger*, NPR (Feb. 26, 2024).

Julie Shapero, *Amazon Made More than \$1B Using Secret Algorithm Called 'Project Nessie,' FTC Says*, THE HILL (Nov. 3, 2023).

Nicole Sperling, *Gene-Sequencing Company Illumina to Sell Cancer Test Developer*, N.Y. TIMES (Dec. 17, 2023).

United States v. Bertelsmann SE & Co. KGAA, 646 Supp. 3d 1 (D.D.C. 2022).

United States v. JetBlue Airways Corp., No. 1:23-cv-10511-WGY, 2024 WL 162876 (D. Mass. Jan. 16, 2024).

Merger Guidelines, U.S. DEP'T OF JUST. & FED. TRADE COMM'N (Dec. 18, 2023).

Karen Weise, *Here Are the 2 Tactics Amazon Used to Undermine Competition, the F.T.C. Says*, N.Y. TIMES (Sept. 26, 2023).