

# MAURICE E. STUCKE

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## ACADEMIC POSITIONS

UNIVERSITY OF TENNESSEE COLLEGE OF LAW 2007-present  
*Associate Professor* (tenured in 2011)

Courses Taught: Evidence, Behavioral Law & Economics Seminar, Consumer Protection Law, Antitrust, and Business Torts.

### Institutional Service:

- Academic Standards & Curriculum Committee (Chair, 2011-present; Member, 2008-11).
- Faculty Advisor (2011-present).
- Committee to Select the W. Allen Separk Faculty Scholarship Award (Chair, 2011; Member 2012).
- Search Committee for Associate Dean for Academic Affairs (2009).
- Search Committee for Associate Dean for Faculty Development (2008).
- Adjunct and Visiting Faculty Committee (2007-08).
- Community Committee (2007-08).

THE UNIVERSITY OF MELBOURNE Summer 2012  
*Senior Fellow of the Law School & Visitor of the University's Competition Law and Economics Network.*

- Will teach graduate level seminars on Antitrust and Behavioral Law and Economics.

CHINA UNIVERSITY OF POLITICAL SCIENCE AND LAW Fall 2010  
*Fulbright Lecturer*

- Taught graduate level seminars on Competition Law and Behavioral Law and Economics.
- Lectured on behavioral antitrust to faculty and students at
  - Shanghai University of Finance and Economics, Shanghai (Dec. 2010);
  - Shandong University, Ji'nan (Dec. 2010);
  - Jinan University, Guangzhou (Nov. 2010);
  - Southwest University of Political Science and Law, Chongqing (Nov. 2010);
  - Beijing University of Chemical Technology, Beijing (Nov. 2010);
  - China University of Geosciences, Beijing (Nov. 2010); and
  - Beijing Normal University, Beijing (Nov. 2010).

- Presented research to
    - China Institute of Competition Policy, University of International Business & Economics, Beijing (Oct. 2010).
    - Chinese Academy of Social Sciences, Beijing (Sept. 2010).
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## PUBLICATIONS

### BOOK CHAPTERS

- *Behavioral Exploitation and its Implications on Competition and Consumer Protection Policies*, in THE PROS & CONS OF CONSUMER PROTECTION (Swedish Competition Authority ed., forthcoming 2012).
- *The Behavioral Antitrust Gambit*, in INTERNATIONAL RESEARCH HANDBOOK ON COMPETITION LAW (Ariel Ezrachi ed., Edward Elgar Publishing forthcoming 2012).
- *What is Competition?*, in THE GOALS OF COMPETITION LAW (Academic Society for Competition Law ed., Edward Elgar Publishing forthcoming 2012).
- *Discovery in a Global Economy*, in INTERNATIONAL ANTITRUST LITIGATION: CONFLICT OF LAWS AND COORDINATION (Jürgen Basedow, Stéphanie Francq & Laurence Idot eds., Hart Publishing Oxford 2012).
  - Invited to participate in a research project financed by the European Commission on the relationship between competition law and private international law.
- *Plurality of Political Opinion and the Concentration of the Media*, in GENERAL REPORTS OF THE XVIII<sup>TH</sup> CONGRESS OF THE INTERNATIONAL ACADEMY OF COMPARATIVE LAW/RAPPORTS GÉNÉRAUX DU XVIII<sup>ÈME</sup> CONGRÈS DE L'ACADEMIE INTERNATIONALE DE DROIT COMPARÉ (Karen B. Brown & David V. Snyder eds., Springer 2012) (co-authored with Allen P. Grunes).
- *Are People Self-Interested? The Implications of Behavioral Economics on Competition Policy*, in MORE COMMON GROUND FOR INTERNATIONAL COMPETITION LAW? (Academic Society for Competition Law ed., Edward Elgar Publishing 2011).
- *Am I a Price-Fixer? A Behavioral Economics Analysis of Cartels*, in CRIMINALISING CARTELS: A CRITICAL INTERDISCIPLINARY STUDY OF AN INTERNATIONAL REGULATORY MOVEMENT (Caron Beaton-Wells & Ariel Ezrachi eds., Hart Publishing Oxford 2011).
- *Diversity in the Media Sector*, in AMERICAN ANTITRUST INSTITUTE, THE NEXT ANTITRUST AGENDA: THE AMERICAN ANTITRUST INSTITUTE'S TRANSITION REPORT ON COMPETITION POLICY TO THE 44<sup>TH</sup> PRESIDENT OF THE UNITED STATES (2008) (chair of the AAI's media committee), available at <http://www.antitrustinstitute.org/node/11001>.

## ARTICLES AND ESSAYS

- *Occupy Wall Street and Antitrust*, SOUTHERN CALIFORNIA LAW REVIEW POSTSCRIPT (forthcoming 2012) (invited contribution to symposium), available at <http://ssrn.com/abstract=2002234>.
- *Is Intent Relevant?*, JOURNAL OF LAW, ECONOMICS & POLICY (forthcoming 2012) (invited contribution to symposium), available at <http://ssrn.com/abstract=1992761>.
- *Why More Antitrust Immunity for the Media is a Bad Idea*, 105 NORTHWESTERN UNIVERSITY LAW REVIEW 1399 (2011), available at <http://ssrn.com/abstract=1710466> (co-authored with Allen P. Grunes).
- *Behavioral Antitrust and Monopolization*, JOURNAL OF COMPETITION LAW AND ECONOMICS (forthcoming 2012), available at <http://ssrn.com/abstract=1961327>.
- *The AT&T/T-Mobile Merger: How Will US Courts Deal with the First Major Horizontal Merger Following the Outbreak of the Financial Crisis?*, JOURNAL OF EUROPEAN COMPETITION LAW AND PRACTICE (forthcoming 2012) (co-authored with Allen P. Grunes).
- *Crony Capitalism and Antitrust*, CPI ANTITRUST CHRONICLE, October 2011(2), available at <http://ssrn.com/abstract=1942045>.
- *Reconsidering Antitrust's Goals*, 53 BOSTON COLLEGE LAW REVIEW (forthcoming 2012), available at <http://ssrn.com/abstract=1904686>.
  - Short-listed for Institution of Competition Law's 2012 Antitrust Writing Award.
- *Antitrust Review of the AT&T/T-Mobile Transaction*, 64 FEDERAL COMMUNICATIONS LAW JOURNAL 47 (2011), available at <http://ssrn.com/abstract=1850103> (co-authored with Allen P. Grunes).
- *Reconsidering Competition*, 81 MISSISSIPPI LAW JOURNAL 107 (2011), available at <http://ssrn.com/abstract=1646151>.
- *Behavioral Antitrust*, 86 INDIANA LAW JOURNAL 1527 (2011), available at <http://ssrn.com/abstract=1582720> (co-authored with Amanda P. Reeves).
- *How Do (and Should) Competition Authorities Treat a Dominant Firm's Deception?*, 63 SMU LAW REVIEW 1069 (2010), available at <http://ssrn.com/abstract=1395076>.
- *Lessons from the Financial Crisis*, 77 ANTITRUST LAW JOURNAL 313 (2010), available at <http://ssrn.com/abstract=1744869> (invited contribution to symposium).
- *Money, Is That What I Want? Competition Policy & the Role of Behavioral Economics*, 50 SANTA CLARA LAW REVIEW 893 (2010), available at <http://ssrn.com/abstract=1419751>.

- *Antitrust 2025*, CPI ANTITRUST JOURNAL, Dec. 2010, available at <http://ssrn.com/abstract=1727251> (invited contribution to symposium).
- *When a Monopolist Deceives*, 76 ANTITRUST LAW JOURNAL 823 (2010), available at <http://ssrn.com/abstract=1644734> (invited contribution to symposium).
  - Cited in *West Penn Allegheny Health System, Inc. v. UPMC*, 627 F.3d 85 (3rd Cir. 2010).
- *New Antitrust Realism*, GCP (Global Competition Policy) MAGAZINE, Jan. 2009, available at <http://ssrn.com/abstract=1323815> (invited contribution to symposium).
- *Toward a Better Competition Policy for the Media: The Challenge of Developing Antitrust Policies That Support the Media Sector's Unique Role in Our Democracy*, 42 CONNECTICUT LAW REVIEW 101 (2009), available at <http://ssrn.com/abstract=1330681> (co-authored with Allen P. Grunes).
- *Does the Rule of Reason Violate the Rule of Law?*, 42 U.C. DAVIS LAW REVIEW 1375 (2009), available at <http://ssrn.com/abstract=1267359>.
  - Featured in Symposium, *Antitrust Marathon: Antitrust and the Rule of Law*, 22 LOYOLA CONSUMER LAW REVIEW 15 (2009).
- *Should the Government Prosecute Monopolies?*, 2009 UNIVERSITY OF ILLINOIS LAW REVIEW 497 (2009), available at <http://ssrn.com/abstract=1116463>.
- *Better Competition Advocacy*, 82 ST. JOHN'S LAW REVIEW 951 (2008), available at <http://ssrn.com/abstract=1175963>.
- *Behavioral Economists at the Gate: Antitrust in the Twenty-First Century*, 38 LOYOLA UNIVERSITY CHICAGO LAW JOURNAL 513 (2007), available at <http://ssrn.com/abstract=981530>.
- *Morality and Antitrust*, 2006 COLUMBIA BUSINESS LAW REVIEW 443 (2006), available at <http://ssrn.com/abstract=949199>.
- *Evaluating the Risks of Increased Price Transparency*, 19 SPG ANTITRUST 81 (2005), available at <http://ssrn.com/abstract=927417>.
- *Evaluating the Risks of Market Swaps*, 18 FALL ANTITRUST 67 (2003), available at <http://ssrn.com/abstract=927412>.
- *Antitrust and the Marketplace of Ideas*, 69 ANTITRUST LAW JOURNAL 249 (2001), available at <http://ssrn.com/abstract=927409> (co-authored with Allen P. Grunes).
  - Cited in *Prometheus Radio Project v. F.C.C.*, 373 F.3d 372, 470 (3d Cir. 2004) (Scirica, C. J., dissenting in part, concurring in part); *United States v. Daily Gazette Co.*, 567 F. Supp. 2d 859, 868 (S.D.W. Va. 2008).

## OTHER ARTICLES

- *Auditing Self-Interest*, AMERICA MAGAZINE, Dec. 14, 2009, available at 10 2009 WLNR

25763832.

- *Concentrated Media Is Something We Can't Ignore: A Response to Speaker Pelosi*, AMERICAN ANTITRUST INSTITUTE COMMENTARY (March 2009), available at <http://ssrn.com/abstract=1369763>.

## WORKING PAPERS

- MAKING THE PIECES FIT: AN ANALYSIS OF THE DAIMLER-CHRYSLER MERGER (Carolina Press forthcoming 2013).

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## COMMITTEES

- ACADEMIC SOCIETY FOR COMPETITION LAW (ASCOLA), Munich, Germany.
  - Elected member (2009), Executive Board (2010-present), Steering Committee (2010-present).
- AMERICAN ANTITRUST INSTITUTE, Washington, D.C.
  - Senior Fellow (2009-present); Advisory Board (2008-present).
  - Chair of AAI committee on the media industry (2007-08).
    - Drafted transition report for the incoming Obama Administration on competition policy issues involving the media (2008).
- INSTITUTE FOR CONSUMER ANTITRUST STUDIES, Chicago, Illinois.
  - Advisory Board (2009-present).
- INTERNATIONAL ACADEMY OF COMPARATIVE LAW
  - General Reporter with Allen P. Grunes on *Plurality of Political Opinions and the Concentration of Media*, at the 18<sup>th</sup> International Congress on Comparative Law, Washington, D.C. (July 2010).
- INTERNATIONAL COMPETITION NETWORK, the international body devoted to competition law enforcement and whose members represent over 100 national and multinational competition authorities.
  - Appointed by the United States as a Non-Governmental Advisor (2009-current).
  - Advising the United States' and other countries' competition authorities on (i) developing recommended practices on merger analysis and (ii) examining the enforcement challenges involving, and promoting greater convergence and sound enforcement of laws and policies governing, a dominant firm's unilateral conduct.
- VANDERBILT UNIVERSITY, CURB CENTER FOR ART, ENTERPRISE AND PUBLIC POLICY.
  - Advisory Panel (2005-2007).
- Referee articles for ANTITRUST LAW JOURNAL and ANTITRUST BULLETIN.

- Committee member to select the annual winner of the Jerry S. Cohen Memorial Writing Award for the best antitrust scholarship (2011-present).
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## SELECTED PRESENTATIONS

### 2011

- Guest Lecturer, *Reconsidering Antitrust's Goals—from a U.S. Perspective*, Swedish Competition and Market Law Association, Stockholm, Sweden (Nov. 2011).
- Presenter, *Behavioral Exploitation and Its Implications on Competition and Consumer Protection Policies*, The Pros & Cons of Consumer Protection, Stockholm, Sweden (Nov. 2011).
  - Swedish Competition Authority organized this conference, which focused on the implications of the recent developments in behavioral economics on consumer protection and competition policy.
- Speaker, *What is Competition and What are the Goals of Competition Law?*, 2011 Home Football CLE Program, University of Tennessee College of Law (Oct. 2011).
- Speaker, *Workshop On Business Law: Dodd-Frank One Year Later*, Southeastern Association of Law Schools' 2011 Annual Conference, Hilton Head, South Carolina (July 2011).
- Presenter, *Behavioral Economics and Dynamic Competition*, Haifa, Israel (May 2011).
  - Loyola University Chicago and Haifa University sponsored this antitrust conference on comparative monopolization law and high-tech industries.
  - The papers from this conference will be published in a special symposium edition.
- Speaker, *Behavioral Economics: Departing from the Rational-Actor Model?*, 59<sup>th</sup> American Bar Association Section of Antitrust Law Spring Meeting, Washington, D.C. (March 2011).
- Speaker, *Behavioral Economics and Antitrust Analysis*, Global Competition Review's Antitrust Law Leaders' Forum, Miami, Florida (Jan. 2011).

### 2010

- Speaker, *Dispute Between Tencent QQ and Qihoo 360*, The Third SHI Disciples' Academic Salon, China University of Political Science and Law, Beijing, P.R.C. (Nov. 2010).
- Speaker, *US Antitrust Law Under an Obama Administration: One Year On*, University College London's Centre for Law and Economics, London, England (June 2010).
- Presenter, *Reconsidering Competition and the Goals of Competition Law*, 5th Annual ASCOLA Conference, Rheinische Friedrich-Wilhelms-Universität Bonn, Germany (May 2010).
  - Edward Elgar Publishing will publish the conference papers in a book on competition policy, *THE GOALS OF COMPETITION LAW*.
- Speaker, *5th IDRC Pre-ICN Forum on Competition and Development*, Istanbul, Turkey (Apr. 2010).

- Canada's International Development Research Centre (IDRC) and the Turkish Competition Authority sponsored this conference for attendees of the International Competition Network's annual conference.
- Speaker, *AALS Scholars' Showcase*, 58<sup>th</sup> American Bar Association Section of Antitrust Law Spring Meeting, Washington, D.C. (Apr. 2010).
- Presenter, *International Antitrust Litigation: Conflict of Laws and Coordination*, Brussels, Belgium (March 2010).
  - The European Commission sponsored this conference. Hart Publishing Oxford published the papers in *INTERNATIONAL ANTITRUST LITIGATION: CONFLICT OF LAWS AND COORDINATION* (2012).
- Panelist, *Competitor Collaborations to Aid Journalism, in How Will Journalism Survive the Internet Age?*, U.S. Federal Trade Commission, Washington, D.C. (March 2010).
  - A series of FTC workshops to explore how the Internet has affected journalism, audio available at <http://www.ftc.gov/opp/workshops/news>.
- Presenter, *Am I a Price-fixer?*, Seattle University School of Law Faculty Workshop, Seattle, Washington (Feb. 2010).
- Presenter, *Am I a Price-fixer?*, in *The Association of American Law Schools and American Bar Association, Section of Antitrust Law's The Next Generation of Antitrust Scholarship*, NYU School of Law, New York, New York (Jan. 2010).
- Presenter, *Lessons from the Financial Crisis*, Association of American Law Schools Annual Meeting, New Orleans, Louisiana (Jan. 2010).
  - The papers were published in *Symposium: The Effect of Economic Crises on Antitrust Policy*, 77 *ANTITRUST LAW JOURNAL* 213-341 (2010).

## 2009

- Presenter, *Discovery in a Global Economy*, Brussels, Belgium (Dec. 2009).
  - The European Commission sponsored this research workshop on international antitrust litigation.
- Panelist, *Antitrust Marathon Symposium IV*, Dublin, Ireland (Oct. 2009).
  - The Irish Competition Authority, the Institute for Consumer Antitrust Studies, and the British Institute of International and Comparative Law sponsored this roundtable on competition law and consumer protection.
  - The transcript of the symposium was published in 6 *EUROPEAN COMPETITION JOURNAL* 1 (2010), available at <http://ssrn.com/abstract=1594291>.
- Moderator, *The Current State of the Mortgage and Credit Markets*, Southeastern Association of Law Schools' 2009 Annual Conference, Palm Beach, Florida (Aug. 2009).
- Speaker, *Competition Law Forum on Behavioral Economics*, London, England (July 2009).
  - Invited by the British Institute of International and Comparative Law to address

competition law scholars, lawyers, and policymakers from the European Commission and the U.K.'s Office of Fair Trading on behavioral economics.

- Presenter, *Money, Is That What I Want? Competition Policy & the Role of Behavioral Economics*, Bonn, Germany (June 2009).
  - Invited by the Max Planck Institute for Research on Collective Goods to present recent behavioral law and economics working paper to Institute's directors and researchers.
- Presenter, *Money, Is That What I Want? Competition Policy & the Role of Behavioral Economics*, Washington, D.C. (June 2009).
  - Edward Elgar Publishing will publish the papers from this conference in a book on competition policy, MORE COMMON GROUND FOR INTERNATIONAL COMPETITION LAW?.
- Presenter, *Toward a Better Competition Policy for the Media: The Challenge of Developing Antitrust Policies That Support the Media Sector's Unique Role in Our Democracy*, Santorini, Greece (May 2009).
  - Invited by the University College London and IMEDIPA to present at competition law research workshop on the limits of competition law for competition scholars, lawyers, and policymakers from the E.U., U.S., and Asia.
- Presenter, *How Do (and Should) Competition Authorities Treat a Monopolist's Deception?*, Haifa, Israel (May 2009).
  - Loyola University Chicago and Haifa University sponsored this antitrust conference on comparative monopolization and abuse of a dominant position.
  - The papers were published in *Symposium: Issues at the Forefront of Monopolization and Abuse of Dominance*, 76 ANTITRUST LAW JOURNAL 653-986 (2010).
- Presenter, *Antitrust Marathon III: Antitrust and the Rule of Law*, British Consulate, Boston, Mass. (April 2009).
  - The British Consulate-General for Boston, the Institute for Consumer Antitrust Studies, and the British Institute of International and Comparative Law sponsored this round-table discussion on antitrust and the rule of law from a comparative U.S.-E.U. perspective.
  - My issue paper, *Does the Rule of Reason Violate the Rule of Law*, and an edited transcript of the Marathon were published in 22 LOYOLA CONSUMER LAW REVIEW 1 (2009), available at <http://ssrn.com/abstract=1503011>.
- Panelist, *Antitrust Law for the New Administration*, Boulder, Colorado (Jan. 2009).
  - Conference hosted by the American Antitrust Institute and the Silicon Flatirons, the University of Colorado Center for Law, Technology, and Entrepreneurship.

## 2008

- Discussant, *16th Annual Conference on Markets & Politics*, Berlin, Germany (Oct. 2008).
  - Conference hosted by the Research Network on Innovation & Competition Policy (an international and interdisciplinary research network on European competition policy

involving eight leading European research institutes and universities) and the Wissenschaftszentrum Berlin für Sozialforschung.

- Presenter, *Does the Rule of Reason Violate the Rule of Law?*, Southeastern Association of Law Schools' 2008 Annual Conference, Palm Beach, Florida (Aug. 2008).
- Panelist, *Behavioral Economics Keynote and Panel Discussion* (audio available at <http://www.antitrustinstitute.org/Archives/2008conferenceaudio.ashx>) and Presenter, *Antitrust and the Media*, American Antitrust Institute's 10<sup>th</sup> Anniversary Conference, Washington, D.C. (June 2008).
- Presenter, *Should the Government Prosecute Monopolies?*, 8th Annual Loyola Antitrust Colloquium, Chicago, Illinois (April 2008).
- Panelist, *Antitrust Marathon Symposium (Part II) on Antitrust Remedies and Merger Policy from a Comparative EU-US Perspective*, British Institute of International and Comparative Law, London, England (April 2008).
  - A transcript of this symposium was published in 4 EUROPEAN COMPETITION JOURNAL 213 (2008), available at <http://ssrn.com/abstract=1161065>.

## 2007

- Panelist, *Antitrust Marathon Symposium on Single Firm Dominance From a Comparative EU-US Perspective*, Chicago, Illinois (Oct. 2007).
  - The Institute for Consumer Antitrust Studies and the Competition Law Forum of the British Institute of International and Comparative Law sponsored this symposium.
  - A transcript of this symposium was published in *The Antitrust Marathon: A Roundtable Discussion*, 20 LOYOLA CONSUMER LAW REVIEW 114 (2008), available at <http://ssrn.com/abstract=1087443>.

## 2006

- Presenter, *Advocating Competition Advocacy*, Fourth Seoul International Competition Forum, Gyeongju, Korea (Sept. 2006).
  - Presented speech to the leaders of many worldwide competition agencies regarding the importance of competition advocacy and represented the U.S. Department of Justice on the featured panel of E.U., Japanese, Chinese, and Korean enforcement officials on each nation's antitrust enforcement efforts.
- Participated in roundtables on antitrust and the media, including at Fordham Law School, the American Antitrust Institute, Georgetown University, and the U.S. Department of Justice.

## Other Presentations

- Podcast, *Feds Antitrust Challenge to AT&T Merger with T-Mobile*, Lawyer2Lawyer Legal Talk Network (Sept. 8, 2011), available at <http://legaltalknetwork.com/podcasts/lawyer-2-lawyer/2011/09/feds-antitrust-challenge-to-att-merger-with-t-mobile/>.

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## AWARDS AND HONORS

- Fulbright Scholar, People's Republic of China, China University of Political Science and Law (2010).
- W. Allen Separk Faculty Scholarship Award, 2009, University of Tennessee College of Law, for the article, *Does the Rule of Reason Violate the Rule of Law?*, 42 U.C. DAVIS LAW REVIEW 1375 (2009).
- University of Tennessee Quest Scholar (Oct. 6, 2008)--Award highlights the work of a faculty member at the University of Tennessee, Knoxville who is doing outstanding work regardless of the field.
- 2007 Jerry S. Cohen Memorial Fund Writing Award for the article, *Behavioral Economists at the Gate: Antitrust in the Twenty-First Century*, 38 LOYOLA UNIVERSITY CHICAGO LAW JOURNAL 513 (2007).
  - The annual award honors the best antitrust writing that reflects a concern for principles of economic justice, the dispersal of economic power, the maintenance of effective limitations upon economic power, or the federal statutes designed to protect society from various forms of anticompetitive activity.
- Two awards from The Legal Aid Society in recognition of outstanding *pro bono* criminal appellate and defense work (1998).
- Two Performance Awards from U.S. Department of Justice, Antitrust Division for prosecuting antitrust violations (1995).
- Performance Award from the U.S. Securities & Exchange Commission for Outstanding Work (1989).

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## EDUCATION

### GEORGETOWN UNIVERSITY LAW CENTER

J.D., 1994

- *Magna Cum Laude*, A/A- average (top 10%)
- Order of the Coif
- Recipient of American Jurisprudence Awards for the highest grade in Civil Procedure, Evidence, and Tax I
- Member, GEORGETOWN JOURNAL OF INTERNATIONAL LAW (formerly LAW & POLICY IN INTERNATIONAL BUSINESS)

EAST CHINA INSTITUTE OF POLITICS & LAW, Shanghai, P.R.C.

1992 Summer Study Program.

## GEORGETOWN UNIVERSITY

B.A. Literature/Philosophy, 1987

- Crew
  - Member of undefeated novice team that won Dad Vails championship rowing regatta (1986).
  - Varsity Letter & Dad Vails finalist in heavyweight eight championship (1987).
- Phi Eta Sigma Honors Society
- Assistant Editor of literary magazine
- Co-founder of satirical magazine
- Published poet

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## RELATED EXPERIENCE

### PRIVATE CONSULTING

2008-Present

- Provided antitrust advice and drafted successful summary judgment motion in *Brentwood Academy v. Tennessee Secondary School Athletic Association*, Civ. Action No. 3-97-1249, 2008-2 Trade Cases & 76,317, 2008 WL 2811307 (M.D. Tenn. July 18, 2008).

### U.S. DEPARTMENT OF JUSTICE, ANTITRUST DIVISION

Washington, D.C.

*Trial Attorney*

1994-1996

1999-2007

- Hired in 1994 through the highly competitive Attorney General's Honors Program.
- Conducted numerous civil antitrust investigations, which included taking over 60 depositions of defendants, customers, competitors, and investment bankers, working with testifying economic experts on trial testimony and econometric analysis, and negotiating consent decrees involving significant divestiture of assets by the merging parties.
- Focused on policy issues involving antitrust and the media, which included:
  - determining the scope of antitrust immunity for newspaper publishers under the Newspaper Preservation Act;
  - leading a joint task force with the Offices of the Attorney General for California and Ohio, and the Los Angeles County District Attorney's Office that successfully prosecuted a market allocation agreement between the nation's leading publishers of alternative newsweeklies.
    - The consent decree in *United States v. Village Voice Media LLC & NT Media LLC*, Civil Action No. 1:03CV0164, 2003 WL 22019516 (N.D. Oh. 2003) led to the publication of the newsweeklies under new owners.
  - leading a joint investigation with the Washington State Attorney General's Office involving Seattle's two daily newspapers; and
  - investigating across the United States other newspaper publishers and media companies.
- Other antitrust prosecutions include:

- *United States v. Interstate Bakeries Corp. & Continental Baking Co.*, Civil Action No. 95C 4194 (N.D. Ill. 1995) (merger in the white pan bread industry);
  - *United States v. Kimberly-Clark Corp. & Scott Paper Co.*, Civil Action No. 3:95 CV 3055-P (N.D. Tx. 1995) (merger in tissue and baby wipes industry);
  - *United States v. Georgia-Pacific Corp.*, Civil Action No. 96-164 (D. Del. 1996) (merger in gypsum industry);
  - *United States v. L'Oreal USA, Inc., L'Oreal S.A. & Carson, Inc.*, 142 F. Supp. 2d 17 (D.D.C. 2000) (merger in hair care industry);
  - *United States v. Kentucky Real Estate Commission*, Civil Action No. 3:05CV188-H (W.D. Ky. 2005) (challenging statewide ban on real estate brokers' offering rebates or inducements); and
  - *In re VisaCheck/MasterMoney Antitrust Litig.*, Master File No. CV-96-5238 (E.D.N.Y. 2006) (recovery by the United States, as a matter of equity--and the first time in the Antitrust Division's history--for its share of damages in a private antitrust class action settlement).
- Service
    - Assisted in drafting the Antitrust Division's internal study on coordinated effects analysis in merger investigations.
    - Instructed junior attorneys as part of the Division's Deposition Training Team.
    - Member of Leadership Skills Committee.

UNITED STATES ATTORNEY'S OFFICE  
 Eastern District of Virginia, Alexandria Division  
*Special Assistant U.S. Attorney*

2000-2001

As part of detail, had significant courtroom experience, including:

- successfully prosecuting two felony jury trials, three appeals before the U.S. Court of Appeals for the Fourth Circuit, and over twenty misdemeanor bench trials and motion hearings;
- participating in all facets of criminal prosecution before every judge in the Alexandria Division including running a weekly docket before the Honorable Thomas Rawles Jones, Jr., drafting search warrants and criminal complaints, presenting indictments to the grand jury, seeking pretrial detention, defending and prosecuting pretrial motions, negotiating pleas, arguing the United States' position at sentencing, and seeking the revocation of defendants' supervised release; and
- requested by the U.S. Attorney's Office to return and assist in the grand jury investigation and prosecution of a sexual assault on a military base.

SULLIVAN & CROMWELL  
*Litigation Associate*

New York, New York  
 1996-1999

Drafted and responded to motions in civil securities fraud and antitrust litigation, including:

- Department of Justice's prosecution against Microsoft Corp.;
- private antitrust class action involving price-fixing among Nasdaq market-makers; and
- SEC action against CS First Boston involving Orange County, California.

As part of *pro bono* services,

- obtained reversal of criminal conviction. *People v. Graham*, 251 A.D.2d 426, 674 N.Y.S.2d 120 (N.Y. App. Div. 2 Dept. 1998). First time the New York State Appellate Division, Second Department reversed in the interest of justice on improper rape trauma syndrome expert testimony; and
- briefed and argued two Article 78 proceedings against the City of New York, Office of the District Attorney, and New York City Police Department.

U.S. SECURITIES & EXCHANGE COMMISSION  
*Research Assistant*, Office of Consumer Affairs

Washington, D.C.  
1988-1990

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## ADMISSIONS

Admitted to the New York bar, U.S. District Court for the Southern and Eastern Districts of New York, the U.S. Court of Appeals for the Fourth Circuit, and the U.S. Supreme Court.