

AGENDA
ICN COOPERATION ROUNDTABLE
March 29, 2011

8:00-8:30 – Registration and Coffee

8:30-8:40 – Welcome

8:40-9:00 – Introduction - International Cooperation – Setting the Stage.

Introductory remarks for the agency participants will identify the objectives and types of cooperation, reference existing international tools for enforcement cooperation (*e.g.*, the OECD's Recommendation), and review member experience with cooperation based on questionnaire responses.

9:00-9:30 – Cooperation and Information Sharing in Anti-Cartel Enforcement.

During this session, agency participants will address informal and formal methods for information sharing and cooperation in cartel investigations, including timing and investigative coordination, limits to the exchange of evidence, and factors to consider when more than one jurisdiction is investigating, referencing the ICN 2007 report.

9:30-10:15 – “Table Talk.” Agency participants will break into smaller moderated discussion groups to explore the issues introduced by the previous session, including approaches to cartel enforcement cooperation and factors that facilitate or hinder cooperation.

10:15-10:30 – Report back from Table Talk. At the discussion's conclusion, each table will summarize the discussions that took place in an effort to distill common themes.

10:30 -10:45 – Break

10:45-11:30 – Cooperation in Merger and Unilateral Conduct Matters. During this session, agency panelists will discuss a series of short questions focused on merger and unilateral conduct cooperation. The discussion will draw upon real case experiences and hypothetical(s) designed for the purpose of facilitating discussion. Issues to be addressed include timing, waivers, document exchange, confidentiality and privilege issues, and remedies.

11:30-12:15 – “Table Talk.” During this session, agency participants will break into smaller moderated discussion groups to explore the issues introduced by the previous panel, including approaches to cooperation and factors that facilitate or hinder cooperation.

12:15-12:30 – Report back from Table Talk. Each table will summarize the discussions that took place in an effort to distill common themes.

12:30-1:30 – Lunch. Participants will be given a few questions on cooperation issues during the remedial phase of merger and unilateral conduct matters to discuss with colleagues over lunch.

1:30-2:15 – NGA Panel -- Views from the Private Sector. Practitioner panelists provide their perspectives, including the factors they consider in determining whether and how to facilitate cooperation among agencies, confidentiality concerns, granting waivers (including views on limited waivers), timing coordination, and negotiating remedies in multiple jurisdictions.

2:15-3:00 - “Table Talk.” All participants will break into smaller, moderated discussion groups to attempt to identify a list of factors that contribute to successful cooperation in competition enforcement matters based on the prior discussions.

3:00-3:15 – Report Back from Table Talk. Each table will summarize their discussions in an effort to identify practical tips for effective cooperation.

3:15-3:30 – Break

3:30-4:15 –Experiences with Existing Tools for Cooperation and Future Work. Through moderated audience discussion, the session will solicit feedback from members and NGAs on their use of ICN and cooperation workproduct and other international tools, discuss relevant ICN Second Decade project takeaways, and focus on possible future work for ICN in this area.

4:15-4:30 – Closing