12th Annual
Golden State Antitrust and Unfair Competition Law Institute

14th Annual
Antitrust Lawyer of the Year Award Dinner

October 21, 2004
Century Plaza Hotel
2025 Avenue of the Stars
Century City, LA, CA  90067-4696

Featured keynote speakers:

R. Hewitt Pate
Assistant Attorney General
Antitrust Division
U.S. Department of Justice

Thomas Greene
Senior Assistant Attorney General
California Department of Justice

Program Sponsors:

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THOMAS A. PAPAGEORGE

The Antitrust and Unfair Competition Law Section of the State Bar of California is pleased to honor Thomas A. Papageorge as the Antitrust Lawyer of the Year 2004.

Tom Papageorge has devoted his 27-year legal career to advancing the principles of antitrust and unfair competition law on many different levels – as a leading trade regulation prosecutor, law professor, prodigious author, legislative craftsman, featured speaker, and bar association leader.

Tom is presently the Head Deputy District Attorney of the Consumer Protection Division (CPD) in the Los Angeles County District Attorney’s Office where he supervises the consumer, antitrust, high technology crime, environmental, and criminal profiteering sections. Tom came to the District Attorney’s Office in 1981 to serve as Special Assistant to District Attorney John Van de Kamp for antitrust and trade regulation matters. He then became the Deputy-in-Charge of the Antitrust Section, followed by Assistant Director of the Bureau of Special Operations.

As Head Deputy District Attorney of CPD from 1984 to the present, Tom supervised or acted as lead counsel for more than 60 litigated antitrust and unfair competition cases, many of them ground-breaking. Tom brought felony bid rigging and price fixing charges against six defendants in the first felony conspiracy convictions under the Cartwright Act. In a horizontal market division case he achieved the then-largest antitrust prosecution in California history. Convictions of eight corporate and individual defendants resulted in fines totaling $2.2 million. Recently, Tom helped lead a statewide effort to prosecute civilly one of the nation’s largest furniture store chains for deceptive and unfair trade practices. The negotiated settlement was the then second largest consumer protection prosecution outcome in California, involving $10 million in civil penalties, restitution, and costs.

Tom’s energy knows no bounds. He co-authored an amicus curiae brief in the Monsanto v. Spray-Rite case, co-authored the book California White Collar Crime, 2nd Ed. (2000), and has contributed articles to the section’s Competition antitrust publication, the Whittier Law Review, and the ABA Antitrust Journal. Tom has served as a principal legislative advocate for the District Attorney’s Office in regard to consumer and regulatory bills. He has been the primary or sole draftsman of numerous bills, including California’s first identity theft statute and its first commercial bribery law, as well as legislation that strengthened the Cartwright Act’s punishment provisions, and reformed the enforcement process and consumer remedies involving the Contractors State License Board.

Tom has served as staff attorney and then Regional Director of the Federal Trade Commission (Los Angeles Office), and Associate Dean and Associate Professor of Law at Whittier School of Law. He has long been active in organized bar activities and is a past chair of the antitrust sections of both the State and the Los Angeles County bar associations.

Tom’s renowned eloquence has made him a much sought after speaker with organizations such as the Practicing Law Institute, the National College of District Attorneys, and the California District Attorneys Association.

A graduate of UCLA (summa cum laude, 1974) and Harvard Law School (1977), Tom is married to the former Sue Starkey and they have three children.
Program Schedule

8:00 a.m. – 8:45 a.m.
Registration & Continental Breakfast
(Breakfast sponsored by Gilardi & Company)

8:45 a.m. – 9:00 a.m.
Welcome and Introductions
Carlton Varner, Section Chair
Sheppard, Mullin, Richter & Hampton LLP
Marc M. Seltzer, Program Chair
Susman Godfrey LLP

9:00 a.m. – 10:30 a.m.
California and Federal Antitrust Law Update:
Our traditional program which includes an update on Section
17200 reform and initiative process, and a review of significant
new cases and government initiatives.

Thomas A. Papageorge
Head Deputy District Attorney for Consumer Protection

Tom Greene, Senior Assistant Attorney General
California Department of Justice

Professor Thomas E. Kauper
Henry M. Butzel, Professor of Law
University of Michigan

10:30 a.m. – 10:45 a.m.
Morning Break

10:45 a.m. – 12:15 p.m.
Current Issues in International Antitrust
Panelists will discuss the application of U.S. antitrust laws to
foreign commerce, EU competition law, and transnational
criminal enforcement.

Terry Calvani, Moderator
Member & Director of Cartel Division,
The Competition Authority of Ireland, Dublin

Phillip Warren
Chief, San Francisco Field Office,
Antitrust Division, U.S. Department of Justice

Karen E. Silverman
Latham & Watkins LLP

Mark S. Popofsky
Kaye Scholer LLP

12:30 p.m. – 2:00 p.m.
Luncheon Presentation
(Lunch sponsored by Cornerstone Research)

R. Hewitt Pate, Assistant Attorney General
Antitrust Division, U.S. Department of Justice

2:00 p.m. – 3:15 p.m.
A Practical Guide to the Price Discrimination Laws:
The Robinson Patman Act and California Unfair Practice Act
Price discrimination issues arise frequently both in private
litigation and corporate counseling. This panel will discuss
the legality of pricing differentials, below cost pricing,
rebates, promotional allowances, volume discounts, and
similar issues under both federal and state law.

Roxane Polidora, Moderator
Pillsbury Winthrop LLP

Eliot Disner
Disner Law Corporation

Elaine Foreman
Senior Counsel, Hewlett Packard

Harvey Saferstein
Mintz Levin Cohn Ferris Glogovsky and Popeo P.C.

3:15 p.m. – 5:00 p.m.
Antitrust Aspects of Competitor Collaborations in the
Entertainment Industry
Joint Ventures among competitors have long existed in the
entertainment industry, and this panel will discuss those relat-
ing to on line movie joint ventures, the Three Tenors case as a
framework for analysis, and related issues.

Gerald Hawxhurst, Moderator
Quinn Emanuel Urquhart Oliver & Hedges, LLP

David Garcia
Sheppard, Mullin, Richter & Hampton LLP

Richard Stone
Hogan & Hartson LLP

Alden F. Abbott
Bureau of Competition, Federal Trade Commission

5:30 p.m.
Dinner Registration

6:00 p.m. – 7:00 p.m.
Hosted Cocktail Reception
Sponsored by Charles River Associates

7:00 p.m.
2004 Lawyer of the Year Dinner and Award Program
Honoring Tom Papageorge

Dinner Speakers:
Thomas Greene
Senior Assistant Attorney General
California Department of Justice

Don T. Hibner, Jr.
Sheppard, Mullin, Richter & Hampton LLP

Robert Fellmeth
Professor of Law, University of San Diego

The Antitrust and Unfair Competition Law Section of the State Bar of California is a State Bar of California approved MCLE provider.
REGISTRATION ONLINE
www.calbar.ca.gov/antitrust

PRE-REGISTRATION BY MAIL
Your pre-registration must be received no later than October 1, 2004. Please send your completed registration form and check payable to The State Bar of California to:

Program Registrations
The State Bar of California
180 Howard Street, San Francisco, CA 94105-1639.

PRE-REGISTRATION BY FAX
Please fax your pre-registration to Program Registrations at 415.538.2368 no later than October 1, 2004. Credit card information is mandatory. Do not mail originals.

ON-SITE REGISTRATIONS
On-site registration opens at 8:00 a.m. and is subject to space availability.

CANCELLATION/REFUNDS
Cancellations and request for refunds must be received in writing no later than October 1, 2004. Substitute registrants are allowed, but must register in their own name.

MCLE CREDIT
The Antitrust and Unfair Competition Law Section of the State Bar of California is a State Bar of California approved MCLE provider. This activity has been approved for 7.5 hours of MCLE credit.

SPECIAL ASSISTANCE
Please call 415.538.2594 or TDD for speech and hearing impaired 415.538.2231

QUESTIONS
For registration information, please call 415.538.2508. For program content/Section information, please call 415.538.2594.

AUDIO TAPES
Audio tapes of the program will be available with a complete set of program materials from Versa-Tape. To order, please call 800.468.2737.

Join the Antitrust & Unfair Competition Law Section
The Antitrust and Unfair Competition Law Section was established by the State Bar of California in 1981 for the purpose of furthering the knowledge of its members in federal and state antitrust and unfair competition law. The focus of the Section is on both litigation—including individual actions by competitors and class actions by direct/indirect purchasers, and the procedural aspects of such litigation—as well as antitrust counseling. It deals with both private and government (federal, state and local) enforcement actions, including government criminal procedures.

The Section is governed by an Executive Committee appointed by the Board of Governors of the State Bar of California.

SECTION MEMBERSHIP
There are no pre-requisites to membership. All interested attorneys, judges, non-attorneys, paralegals, law students and out-of-state attorneys are invited to enroll in the Section.

STANDING COMMITTEES
The Section has the following standing committees in which Section members are urged to participate:
  • Education/Programs
  • Legislation
  • Publications/Journal

JOURNAL
The Section publishes a periodic journal—Competition. Members who wish to author articles or assist with publications are encouraged to contact the Editor.

PROGRAMS
The Section presents an annual MCLE-accredited Institute and Antitrust Lawyer of the Year Award, as well as programs at the Section Education Institute and the State Bar of California Annual Meeting.

MEMBERSHIP BENEFITS
  • Free annual subscription to the Section journal
  • Competition to keep members current on issues and developments
  • Discounts on all Antitrust and Unfair Competition Law Section programs
  • Discounts on any Section publications
  • Opportunity to participate in Section and Committee activities
  • Opportunity to meet other members of the Antitrust and Unfair Competition Law Section

Visit calbar.ca.gov/antitrust to join!

R. HEWITT PATE
This year’s featured speaker is R. Hewitt Pate, Assistant Attorney General for Antitrust, US Department of Justice. Mr. Pate served as Acting Assistant Attorney General from November 23, 2002, until his confirmation. Previously, he served as a Deputy Assistant Attorney General in the Antitrust Division, a position occupied since June 3, 2001. As a Deputy Assistant Attorney General, Mr. Pate oversaw Division matters including airline, transportation, energy and regulatory issues.

Prior to his appointment to the Antitrust Division, Mr. Pate practiced law at Hunton & Williams where he was a partner on the firm’s antitrust team and involved in litigating cases related to regulation of the competitive process, including antitrust, patent, trademark, trade secrets, false advertising and other business torts.
THE TWELFTH ANNUAL GOLDEN STATE ANTITRUST AND UNFAIR COMPETITION LAW INSTITUTE
October 21, 2004 - Century City, LA

Name: ________________________________________________ State Bar Number: __________________
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Address: ______________________________________________________________________________________
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Telephone: ________________________________ Fax: ________________________________________________
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REGISTRATION FEES (please check appropriate box)

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<tr>
<td>Full Day Institute &amp; Dinner – Members</td>
<td>$385</td>
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<td>Full Day Institute &amp; Dinner – Non-members*</td>
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Institute ONLY

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* Price includes 2005 Section Membership

Sponsorship Opportunities

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<td>GOLD</td>
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<tr>
<td>SILVER</td>
<td>Includes table for eight at dinner, 1 institute registrant, program attribution—$1500</td>
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<tr>
<td>BRONZE</td>
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Lawyer of the Year Dinner ONLY

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Program Materials ONLY

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* Program Materials will be mailed after the program.

GROUP REGISTRATION

Firms or other groups with 5 or more paid registrations receive attribution in the program.
Please use a separate form for each registrant.

CREDIT CARD INFORMATION (mandatory if faxing registration)

I authorize The State Bar of California to charge my program registration and/or fees as noted above to my VISA or Mastercard account. (No other cards will be accepted)

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FOR MORE INFORMATION or to order the newly revised Treatise

California Antitrust and Unfair Competition Law (Third), a comprehensive two-volume treatise published by the Antitrust and Unfair Competition Law Section of the State Bar of California, visit: www.calbar.ca.gov/antitrust