

Wednesday 27th February 2008

Le Meridien Piccadilly Hotel, London W1

TOP PRIORITY



KEYNOTE ADDRESS:
Philip Collins
Chairman
Office of Fair Trading
London

DEALING WITH

CARTELRISK

A major event from IBC Legal Conferences

Cartels, leniency and settlements in an increasingly complex environment

RECEIVE VALUABLE ADVICE ON THE FOLLOWING:

- Recent developments and preventing problems - criminal enforcement, higher fines, leniency and fining guidelines
- Compliance training and other preventative measures - what are the options and does anything work?
- When and if to blow the whistle - deciding to go for leniency, taking tough decisions
- Internal investigations - making the most of external advice and internal relationships
- Dealing with the risks of extradition
- Managing worldwide leniency applications - complexities of leniency in cross-border cartel cases
- The EC Model Leniency programme - how does it work in practice?
- Settlements: the Commission's proposals and experience in the UK

HEAR FROM DISTINGUISHED EXPERTS

CHAIRMAN:

John Ratliff, Partner, WilmerHale LLP, Brussels

Philip Collins
Chairman, Office of Fair Trading, London

Fiona Carlin
Partner, Baker & McKenzie LLP
London and Brussels

Anne Riley
Associate General Counsel
Shell International, London

Sven Völcker
Partner, WilmerHale LLP
Brussels

Hans-Martin Feldkamp
Senior Counsel, Lanxess
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Annette Schild
Partner, Shearman & Sterling
LLP, Brussels

Jeffrey Blumenfeld
Partner, Crowell & Moring LLP
Washington DC

Jean François Bellis
Partner, Van Bael & Bellis
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Isabelle Kraus,
Case Handler, DG Competition,
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Sonya Branch
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London

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Cartels, leniency and settlements in an increasingly complex environment

Cartels remain the top enforcement priority for competition regulators throughout the world. Commissioner Kroes has set very specific objectives: **"I want the future for cartelists to continue to look as bleak as possible."** Fines continue to increase year-on-year - the European Commission has already fined companies more than EUR 3.3 billion in 2007 alone, and the year is not yet over. In the UK, enforcement of the criminal cartel offence is finally becoming a reality - if all goes well, the participants in the Marine Hoses cartel will soon be serving time in British jails - and extradition to the US is a real threat even if no UK prosecution emerges. At the same time, the Commission, the UK and other authorities are looking to speed up decision-making and **increase the numbers of decisions they take** by increasing use of settlements.

Everybody should worry about cartel risks. Issues can arise even for the most compliant. An acquisition can include an unforeseen line item - participation in a 20 year price

fixing agreement on the part of the target; one rogue employee can involve you in a criminal conspiracy; or a meeting that took place ten years ago under a different management team can become the focus of an international investigation.

Avoiding such consequences requires vigilance from the companies legal advisers (in-house and external), care in devising appropriate compliance measures and, if the worst happens, devising a defence strategy that may include swift action to seek leniency or developing a settlement proposal.

Dealing with Cartel Risk brings together leading experts from private practice, the European Commission and the Office of Fair Trading with the experience to lead you through the practical issues in this complex area and to bring you up to speed on the latest developments in settlements, multi-jurisdictional leniency filings, and what works (or does not) in compliance programmes.

WHO SHOULD ATTEND:

- In-house counsel
- Compliance officers
- Private practice lawyers specialising in competition law
- Consulting economists
- National competition and regulatory authorities

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AGENDA

CHAIRMAN:

John Ratliff, Partner, WilmerHale LLP, Brussels

08.30 Registration and coffee

09.00 Chairman's Introduction

SESSION 1:

RECENT DEVELOPMENTS AND PREVENTING PROBLEMS

09.10 KEYNOTE ADDRESS

'Promoting effective competition and encouraging compliance'

- » Fines
- » Individual sanctions
- » Private actions
- » Compliance and corporate governance
- » Early resolution

Philip Collins

Chairman

Office of Fair Trading
London

09.45 Compliance training and other preventative measures

'What are the options and does anything work?'

- » Defining the purpose of compliance training: education/prevention/mitigation
- » Best practice for internal audits
- » Other compliance tools including private "leniency" programmes and the nuclear option of mock dawn raids

Fiona Carlin

Partner, Baker & McKenzie
London and Brussels

Anne Riley

Associate General Counsel
Shell International, London

10.30 Q & A and panel discussion

10.45 Coffee

SESSION 2:

WHEN AND IF TO BLOW THE WHISTLE

11.00 Internal investigations

Making the most of external advice and internal relationships

- » How to achieve cooperation
- » Privilege issues post Akzo
- » Companies and employee interests

Sven Völcker

Partner

WilmerHale LLP, Brussels

Hans-Martin Feldkamp

Senior Counsel

Lanxess, Germany

12.00 Deciding to go for leniency - taking tough decisions

- » Taking stock of risks worldwide: high fines, costly litigation, tender blacklisting, jail time, to name a few...
- » Will leniency applications protect the company?
- » Company v. employees - can you keep everybody happy?
- » Will the skeleton stay in the closet?

Annette Schild

Partner

Shearman & Sterling LLP, Brussels

12.45 Q & A and panel discussion

13.00 Lunch

SESSION 3:

MANAGING THE INTERNATIONAL PROCESS

14.00 Managing worldwide leniency applications [complexities of leniency in cross-border cartel cases]

- » Termination
- » Markers vs evidence based amnesty systems
- » Written or oral statement, 'proffers' or actual evidence

Jeffrey Blumenfeld

Partner

Crowell & Moring LLP, Washington DC

15.00 Leniency: the ECN model programme and other international aspects

- » The background of increased competition policy enforcement in the EU and internationally
- » 'Soft harmonisation' of the EU Leniency programmes through the ECN model programme
- » The solutions adopted under the ECN model leniency programme: do they work?
- » International cooperation between agencies and leniency related issues

Isabelle Krauss

Case Manager, DG Competition,
European Commission, Brussels

15.25 How does it work in practice?

Jean-Francois Bellis

Partner,

Van Bael & Bellis, Brussels

15.45 Coffee

SESSION 4:

SETTLEMENTS

16.05 Recent OFT Experience

- » *Public schools, BA/Virgin, Supermarkets, Dairies price fixing, and Marine Hoses: lessons for the future*

Sonya Branch

Senior Director, Markets and Projects, Goods
Office of Fair Trading

16.35 The Commission's proposals - heading in the right direction?

- » Where are we post-consultation?
- » Can the Commission learn from the OFT?
- » Will the proposals work in practice?
- » Are there hidden pitfalls?

Sean-Paul Brankin

Counsel

Crowell & Moring LLP, Brussels

17.15 Discussion and close

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DEALING WITH CARTEL RISK

Wednesday 27th February 2008,

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