

**Minutes of the Monthly Meeting of the
MSBA Antitrust Law Section Governing Council
MSBA Offices
June 10, 2009**

- I. **Attendees:** Please see the attached attendance list.
- II. **Call to Order:** The meeting was called to order at 12:07 pm CDT.
- III. **Approval of Minutes.** The Council approved the minutes for the April 8, 2009 Executive Council meeting and the May 6, 2009 Section Annual Meeting.
- IV. **President's Report.** Bethany Krueger provided an update on changes to the MSBA dues and their effect on Section dues. MSBA implemented a \$6 per section member administrative fee. As previously resolved, the Section will reduce annual dues to \$19 so as not to increase the amount that Section members will be to be part of the Section.
- V. **Treasurer's Report.** Craig Coleman reviewed the Section financial report, and it was distributed to the attendees. As detailed in the tentative Section financial report as of April 30, 2009, the Section had a positive balance including investments of \$4862.69.
- VI. **Program Planning.**
 - A. **Black Letter Law CLE and Professors' Program:** Ms. Krueger initiated a discussion of the May 6, 2009 black-letter law program and indicated that feedback was generally positive to both programs. Mr. Bruckner confirmed the positive feedback. The Council discussed arranging a similar program in the future. Discussion was held around the scope and frequency of such programs.
 - B. **Future Programs.** The Council discussed program ideas for 2009-2010. Mr. Bruckner confirmed that the Deputy Assistant Attorney General for Civil Antitrust Enforcement, Molly S. Boast, will be presenting on September 17, 2009. In addition to discussing Ms. Boast's speech, the Council discussed the following other ideas for other events in 2009-2010:
 - **FTC Speaker:** Mr. Bruckner confirmed that he had contacted FTC Chairman Jon Leibowitz to speak to Section members but was not optimistic that he would accept our invitation. The Council also discussed inviting Richard Feinstein, Director of the Bureau of Competition. Mr. Marth will contact Mr. Feinstein. Reverse payments is a potential topic for Mr. Feinstein. Mr. Sheran suggested Commissioner Jones-Harbour as a possible guest. He suggested Resale-price maintenance as a topic for Commissioner Jones-Harbour.
 - **Class Action Developments:** The Council discussed a program on developments in class-action law for October or November. Mr. Marth agreed to contact his colleagues, Janet Evans and K. Craig Wildfang. The

Council agreed that it should be able to fill such a program with local participants.

- Developments in EC Law: Mr. Bruckner contacted Michael Hausfeld for the names of potential guests. Mr. Marth agreed to reach out to Carol Peterson regarding the availability of Howard Bergman of 3M.
- Robinson-Patman Act: The Council discussed a potential program on RPA counseling. Mr. Marth agreed to contact Steve Kilgriff of SuperValu and Rick Beitendorf of General Mills.
- Responding to Government CIDs: The Council discussed a program instructing participants on how to respond to a government CID. Mr. Marth promised to contact former colleagues at the FTC to gauge their interest in such a program.
- Other potential programs: The Council also discussed potential programs focusing on economics, mergers or revisions to merger guidelines, or resale-price maintenance.

VII. New Business. The Council discussed the upcoming MSBA Convention, on June 24-25 in Duluth. Mr. Sheran will attend on behalf of the Section. The Council also welcomed new members, Cathy Smith and Matthew Ralph, and presented Ms. Krueger with a plaque commemorating her service as Section President.

VIII. Adjournment. The meeting adjourned at 12:35 pm CDT.

Minutes prepared June 10, 2009 and presented by:

Ryan W. Marth
Robins, Kaplan, Miller & Ciresi L.L.P.
612-349-0962
rwmarth@rkmc.com

**Attendees for the June Meeting of the
MSBA Antitrust Law Section Governing Council
June 10, 2009**

Craig S. Coleman
W. Joseph Bruckner
Cathy Smith
Matthew Ralph
Mark A. Jacobson
Bethany D. Krueger – Chair
Ryan Marth
Tom Sheran

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