

**Minutes of the Monthly Meeting of the  
MSBA Antitrust Law Section Governing Council  
MSBA Offices  
August 14, 2009**

- I. Attendees:** Please see the attached attendance list.
- II. Call to Order:** The meeting was called to order at 12:00 pm CDT.
- III. Approval of Minutes.** The Council approved the minutes for the June 2009 meeting of the Council.
- IV. President's Report.** W. Joseph Bruckner reported on meeting with Leo Brisbois, MSBA President for 2009-10. He discussed Mr. Brisbois's proposal for various sections to prepare "CLEs in a box" that could be presented at 9 different regional MSBA meetings in June of 2010. The Council discussed the idea of a program on agricultural antitrust and another "issue spotting" CLE.
- V. Treasurer's Report.** Ryan Marth reviewed the Section financial report, and it was distributed to the attendees via email after the meeting. As detailed in the tentative Section financial report as of June 30, 2009, the Section had a positive balance including investments of \$8,332.04.
- VI. Program Planning.**
- A. Future Confirmed Programs:** The Council discussed program ideas for 2009-2010.
- Mr. Bruckner reported on his communications with Molly Boast, the Deputy AAG for Antitrust Division Civil Affairs, who is confirmed for September 24. The council discussed the appropriate venue for Ms. Boast's presentation, whether it be at a law firm, at the CLE Center, or a hotel. Ms. Hacker Ashley will look into costs of hotel facilities and the CLE Center.
  - Frederick Warren-Boulton of Microeconomic Consulting & Research Associates, Inc. is confirmed for October 14.
  - Prof. Scott Hemphill is tentatively scheduled to speak on prescription drug competition and policy in November. The council agreed to suggest November 10 for Mr. Hemphill's presentation. Mr. Lindsay suggested inviting the health law section and possibly varying from our lunch format to do a breakfast program, as is their custom.
- B. Other Future Programs:** The council discussed other future programs ideas:
- A program discussing developments in class action certification for antitrust cases. Mr. Marth spoke with Jan Evans of Robins Kaplan who is interested in the program but unable to present until at least the winter of 2010;

- Mr. Lindsay stated that he will reach out to Chicago field office of the Antitrust Division regarding their interest in sending a representative to present on criminal antitrust enforcement;
- Carol Peterson informed the council that Howard Bergman will be returning to 3M in the United States as of September 1, and that he likely would be interested in participating in a program on antitrust developments in the European Union. The council discussed January as the possible date for this presentation;
- Gabriel Gervev will check the availability of Attorney General Lori Swanson;
- IP/Antitrust black-letter law CLE program. Mr. Marth and Tom Sheran will investigate the possibility of the section putting on a black-letter law CLE on intellectual property/antitrust crossover.

**VII. New Business.** The council had no significant other new business to discuss.

**VIII. Future Meeting.** The Council will meet next on Wednesday, September 9.

The meeting adjourned at 12:44 pm CDT.

**Minutes prepared August 14, 2009 and presented by:**

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**Attendees for the November Meeting of the  
MSBA Antitrust Law Section Governing Council  
August 14, 2009**

- W. Joseph Bruckner
- Ryan W. Marth
- Richard A. Duncan
- Gabriel Gervey
- Michael Lindsay
- Ashley Hacker
- Kathy Smith
- Mark A. Jacobson
- Michael Lindsay
- Carol Peterson (by phone)
- Tom Sheran