

Registration & Refreshments

08:30 - 09:00

Morning Chair's Welcome and Introduction

09:00 - 09:10

Participants

Boris Bronfentrinker - Partner, Willkie Farr Gallagher LLP (UK)

Judges' Roundtable

09:10 - 09:55

National Developments

Participants

Mr Justice Marcus Smith - President, Competition Appeal Tribunal (CAT) & Judge, Chancery Division, High Court (UK)

Judge Stefan Molin - Judge, Netherlands Commercial Court of Appeal (The Netherlands)

Judge Gerhard Klumpe - Presiding Judge, District Court of Dortmund (Germany)

Review of National Developments Across 6 Key Jurisdictions

09:55 - 11:25

National Developments

- Review of key cases across 6 key jurisdictions:
 - Netherlands
 - Germany
 - UK
 - Spain
 - Italy
 - Poland
- Forum shopping: practical differences in litigating in different jurisdictions
- What are the different approaches taken by judges across Europe, including implications for case management and cross border exchanges between the courts?

Participants

Rick Cornelissen - Partner, Houthoff (The Netherlands)

Dorothy Hansberry-Biegunska - Partner, Hansberry Tomkiel (Poland)

Thomas Funke - Partner, Osborne Clarke (Germany)

Rino Caiazza - Founding Partner, Caiazza Donnini Pappalardo & Associati (Italy)

Kim Dietzel - Partner, Herbert Smith Freehills LLP (UK)

Paul Hitchings - Managing Partner, Hitchings & Co (Spain)

Morning Coffee Break

11:25 - 11:50

National Developments

Approaches to Quantification of Damages

11:50 - 12:30

Economic Perspectives

- Review of the latest developments in economic methodology
- Recent judgments and how are the judges approaching estimation of quantum? How do the courts approach conflicting expert opinions? How are the courts estimating damages?
- The role of court appointed experts
- The role of economic experts in carriage disputes
- Under what circumstances can the judges in some jurisdictions award damages when a Court expert concludes that there are no damages?

Participants

Julia Dietrich - Director, Frontier Economics (Germany)

Hans-Petter H. Hanson - Economist, Chief Economist Team, EFTA Surveillance Authority (EFTA)

Lumine van Uden - Senior Associate, Houthoff (The Netherlands)

Collective or Class Actions and Claim Aggregation: Developments across Europe

12:30 - 13:15

Significant Case Law Developments

- How should claims be bundled? Policy and regulatory issues
- Review of recent judgements in the Netherlands and Germany on collective actions, claims aggregation, bundled claims and SPVs bringing actions
- UK developments - carriage dispute certification
- Is there a pan-European class action system following the Damages Directive?
- Is it possible to shoehorn other cases, outside competition law, into the system?
- How best to manage a case, conduct the damages assessment for etc in such large cases?
- How best to deal with parallel, maybe even conflicting legal actions across Europe?

Participants

Mark Sansom - Joint Head – Global Antitrust Litigation Group, Freshfields Bruckhaus Deringer LLP (UK)

Borbála Dux-Wenzel - Partner, Luther (Germany)

Helmut Brokelmann - Partner, MLAB Abogados, S.L.P. (Spain)

Networking Lunch

13:15 - 14:15

Significant Case Law Developments

Parental Liability: Lessons Learnt from Sumal and Other Significant Cases

14:15 - 15:00

Significant Case Law Developments

- Lessons learnt from recent cases including *Sumal*, *Skanska* and *Goldman Sachs* for upwards and downwards liability
- Is there a tension between reconciling European competition law focusing on 'an undertaking'/economic unit' and national civil liability regimes based on separate legal entities?
- Implications for choice of jurisdiction
- Will the judgement have an impact on how corporates' structure themselves?

Participants

Sergio Baches Opi - Legal Service (Competition Team), European Commission (EU)

María Pérez Carrillo - Partner, Cuatrecasas (Spain)

Claudio Tesaro - Partner, BonelliErede (Belgium)

Disclosure Developments

15:00 - 15:45

Significant Case Law Developments

- How are the courts approaching disclosure both at private level and public level in terms of mechanisms like leniency or settlements?
- Disclosure developments across Europe including confidentiality rings
- The role of economists within disclosure
- What lessons can Europe learn from US?

Participants

Vivien Terrien - Référendaire, European Court of Justice (EU)

Arantzazu Golderos - Policy Officer DG COMP, European Commission (EU)

Stefaan Raes - Partner, Liedekerke Wolters Waelbroeck Kirkpatrick (Belgium)

Afternoon Coffee Break

15:45 - 16:05

Significant Case Law Developments

Big Tech Cases: What are the Opportunities for Damages?

16:05 - 16:55

Big Tech & Private Enforcement

- Review of competition claims against big tech: abuse of dominance and unfair trading practices claims
- How are the Courts receiving big tech cases?
- Economic perspectives on big tech cases: how is the approach different to cartel cases?
- What is the interplay between Article 102 cases and consumer protection? Is competition law being used to deal with big tech cases as it is so flexible?

Participants

Michelle Clark - Partner, Willkie Farr & Gallagher LLP (UK)

Kayvan Hazemi-Jebelli - Competition & Regulatory Counsel, Computer & Communications Industry Association (CCIA) (Belgium)

Ben Lasserson - Partner, Mishcon de Reya (UK)

Assimakis Komninos - Partner, White and Case LLP (Belgium)

Practical Strategies for Claimants and Defendants

16:55 - 17:40

Practical Considerations

- How to select the best venue to bring the claim?
- The balance between private and public enforcement. Immunity from damages for leniency applicants?
- Settlements: how to start the process?

Participants

Robert Bäuerle - Senior Legal Counsel, Deutsche Bahn AG (Germany)

Martin Seegers - Director, Cartel Damage Claims (Belgium)

Dominique Speekenbrink - Senior Vice President – Chief Counsel Litigation & Non-Core, ABB Asea Brown Boveri Ltd (Switzerland)

Moderator:: Elizabeth Morony - Partner, Clifford Chance LLP (UK)

Chair's Closing Remarks & Close of Conference

17:40 - 17:45

Practical Considerations