

## ANTITRUST MODERNIZATION COMMISSION

### MINUTES OF MEETING ON JUNE 16, 2006

The Antitrust Modernization Commission met on June 16, 2006, at the Federal Trade Commission Conference Center, 601 New Jersey Avenue, N.W., in Washington, D.C. This meeting was announced to the public in advance through publication of a notice in the *Federal Register*. See 71 Fed. Reg. 31,152-53 (June 1, 2006). Andrew Heimert, the Executive Director and General Counsel, served as Designated Federal Officer for the meeting. The Chair called the meeting to order at 9:34 a.m., and the Executive Director and General Counsel noted a quorum. The meeting was transcribed. Approximately 20 people were in the public audience.

#### Participating:

Deborah A. Garza, Chair  
Jonathan R. Yarowsky, Vice-Chair  
W. Stephen Cannon, Commissioner  
Dennis W. Carlton, Commissioner  
Makan Delrahim, Commissioner  
Jonathan M. Jacobson, Commissioner  
Donald G. Kempf, Jr., Commissioner  
Sanford M. Litvack, Commissioner  
John H. Shenefield, Commissioner  
Debra A. Valentine, Commissioner  
John L. Warden, Commissioner

Andrew J. Heimert, Executive Director & General Counsel

#### Also present:

Susan S. DeSanti, Senior Counsel  
William F. Adkinson, Jr., Counsel  
Nadine Jones, Counsel  
Marni B. Karlin, Counsel  
Alan Meese, Senior Advisor

---

#### **I. Remarks of Chair**

The Chair offered opening remarks for the Commission meeting, in which she welcomed the public to the meeting and summarized the process for deliberations at the meeting. The Chair explained that, prior to the meeting, for each topic set for deliberation, all Commissioners were provided with a memorandum prepared by staff summarizing the relevant testimony and comments and a list of possible recommendations and regarding each question upon which public comment was solicited to assist in framing the Commissioners' discussion. The proposed recommendations were designed to help focus discussion. Commissioners were free to propose additional recommendations as well as modifications to those set out in the discussion outlines.

All documents were made available to the public at the meeting and in advance on the Commission's website.

## **II. Discussion of Issues**

The Commission deliberated on two topics it has adopted for study: merger enforcement (including substantive merger law and Hart-Scott-Rodino reform) and patent reform. On each topic, each Commissioner provided his or her initial views on the subject, followed by general discussion among Commissioners. When Commissioners had completed discussion on each topic, they each indicated their current views on the proposed recommendations.

The views of each Commissioner, as stated at the meeting, are contained in the transcript of the meeting, which is attached hereto. (It is understood that all views are subject to change.)

The meeting was adjourned at 4:03 p.m.

---

I hereby certify that, to the best of my knowledge, the foregoing minutes are accurate and complete.

Deborah A. Garza  
Chair, Antitrust Modernization Commission