

ANTITRUST MODERNIZATION COMMISSION

MINUTES OF MEETING ON JANUARY 11, 2007

The Antitrust Modernization Commission met on January 11, 2007, at 1111 Pennsylvania Avenue, N.W., in Washington, D.C. The meeting was announced to the public in advance through publication of a notice in the *Federal Register*. See 71 Fed. Reg. 75,495 (Dec. 15, 2006). Andrew Heimert, the Executive Director & General Counsel, served as Designated Federal Officer for the meeting. The Chair called the meeting to order at 9:35 a.m. The Executive Director noted a quorum of Commissioners present.

Participating:

Deborah A. Garza, Chair
Jonathan R. Yarowsky, Vice-Chair
Bobby R. Burchfield, Commissioner
Makan Delrahim, Commissioner
Jonathan M. Jacobson, Commissioner
Donald G. Kempf, Jr., Commissioner
Sanford M. Litvack, Commissioner
Debra A. Valentine, Commissioner
John L. Warden, Commissioner

Andrew J. Heimert, Executive Director & General Counsel
Susan S. DeSanti, Senior Counsel
William F. Adkinson, Jr., Counsel
Nadine Jones, Counsel
Marni B. Karlin, Counsel

Also present:

Hiram Andrews, Law Clerk
Christopher Bryan, Paralegal
Kristen Gorzelany, Paralegal

I. Remarks of Chair

The Chair offered opening remarks for the Commission meeting, welcoming the public to the meeting and setting out the process for deliberations. She explained that this meeting was being held to review tentative recommendations agreed to by a majority of Commissioners in previous meetings as well as to refine the wording of those recommendations where appropriate. The Chair explained that, prior to the meeting, all Commissioners were provided with a list of "Tentative Recommendations," as to which a majority of Commissioners had previously expressed support. The purpose of the meeting was to conduct any necessary further deliberations on the tentative recommendations, revise the wording of recommendations if appropriate, and confirm that the listed recommendations continued to have the support of a

majority of Commissioners. Commissioners were free to propose modifications to the recommendations set out in the list of Tentative Recommendations. 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 reviewed potential recommendations in all subjects on which it tentatively has reached consensus on recommendations. Commissioners reviewed each potential recommendation in the list of Tentative Recommendations and either confirmed or modified their votes. In addition, with respect to some recommendations, Commissioners proposed possible modifications to the wording of the recommendations. Proposed modifications were then discussed and either agreed to or rejected. Such changes were noted by staff, who were instructed to make those changes for purposes of drafting the Commission's Report.

The meeting was adjourned at 4:00 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