

University of South Carolina School of Law

Travis C. Wheeler

Introduction to Antitrust Litigation

**Text: Antitrust Law in Perspective: Cases, Concepts and Problems in Competition Policy (5th ed.)
(Gavil, Kovacic, Baker)**

Learning Objectives and Assessment: the objective for students of this class is to develop an understanding of basic areas of antitrust law, including horizontal and vertical concerted restraints of trade, unilateral restraints of trade, and mergers. Students will be assessed through a final examination given at the conclusion of the class.

Syllabus

Chapter 1—Defining Competition Policy for a Global Economy:

Week 1: pp. 1-37 (Andreas & Notes, Coffee Shop, Brown) and pp. 44-48 (Brunswick)

Chapter 2—Concerted Action among Competitors (“Horizontal” Agreements):

Week 2: pp. 105-46 (CBOT, Socony, NSPE, BMI)

Week 3: pp. 146-69 (Catalano, Maricopa, Dagher, BRG); pp. 185-197 (NCAA)

Week 4: pp. 198-235 (Alston); 244-59 (Contemporary Rule of Reason)

Chapter 3—Distinguishing Concerted Action from Unilateral Action:

Week 5: pp. 261-88 (Copperweld, Case Studies I - II, Game Theory/Leniency, Partial Coordination)

Week 6: pp. 288-342 (Interstate Circuit, Matsushita, Twombly, Text Messaging I&II)

Chapter 4—Exclusionary Conduct:

Week 7: pp. 407-52 (Lorain & Notes, Alcoa and Notes)

Week 8: pp. 472-514 (Aspen & Microsoft); pp. 536-54 (Brooke Group)

Chapter 5—Mergers and Acquisitions:

Week 9: pp. 641-675 (Brown Shoe, Phil. Nat’l Bank, General Dynamics)

Week 10: pp. 675-701 (Baker Hughes, Heinz, Merger Guidelines); pp. 813-832
(Contemporary Vertical Mergers)

Chapter 6—Anticompetitive Distribution Practices:

Week 11: pp. 909-58 (Sylvania & Notes, Leegin)

Week 12: pp. 971-1017 (Jefferson Parish, Microsoft)

Week 13: pp. 1019-1042 (McWane, Omega Env’tl)