

LOYOLA UNIVERSITY CHICAGO SCHOOL OF LAW

NEWS FROM THE ANTITRUST INSTITUTE

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JOIN US FOR THE FIRST-EVER REMOTE LOYOLA ANTITRUST COLLOQUIUM

2021 marks the 21st Annual Loyola Antitrust Colloquium and the first-ever live remote colloquium. We have adapted to the needs and reality of the continuing pandemic and look forward to welcoming the largest gathering of professors, practitioners, enforcers, judges, and students from the United States and abroad for our annual look at cutting-edge scholarship in the competition law field.

To combat zoom fatigue we have spread the colloquium over the afternoon of Thursday, April 15th, and the morning of Friday, April 16th. We will present a total of three panels and a keynote address on the cutting-edge issues of antitrust. Each presenter is followed by two commentators and then a vigorous discussion with the full group of attendees.

This year's colloquium will feature three new features to make the most out of our zoom format. Following the keynote talk from the Hon. Bill Baer, former Assistant Attorney General, Antitrust Division, and former Acting Associate Attorney General, and the first panel on Thursday afternoon, we will have a zoom happy hour as a reasonably effective substitute for the usual reception.



Bill Baer

Our past keynote speakers have included top current and former officials from the Antitrust Division, the Federal Trade Commission, the Judiciary, the White House, and the U.K. Competition & Markets Authority. Recent keynoters have included Chief Judge Diane Wood of the U.S. Court of Appeals for the Seventh Circuit and Philip Weiser, Attorney General of Colorado.

The lineup for the 2021 Loyola Antitrust Colloquium includes papers from Christine Bartholomew (Buffalo Law) on *Antitrust Settlements*; Christopher Leslie (UCI Law) on *Food Deserts, Racism, and Antitrust*; and Felix Chang (Cincinnati Law) on *Ethnically Segmented Markets*.

Join us for the 2021 Loyola Antitrust Colloquium and all of our yearly programs and events focusing on both competition and consumer protection law. To request your invitation to the 21st annual Loyola Antitrust Colloquium please email antitrust@luc.edu.

SPECIAL POINTS OF INTEREST

Institute Holds 21st Annual Loyola Antitrust Colloquium on April 15-16th via Zoom

Former AAG Bill Baer Headlines 2021 Loyola Antitrust Colloquium

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INSTITUTE WELCOMES FOUR NEW RESEARCH FELLOWS FOR 2020-21

The Institute is proud to welcome four Non-Resident Research Fellows working remotely during the pandemic. The 2020-21 Fellows all receive research support, a stipend from the Institute, and the opportunity to present their work at upcoming Institute events.

Megan Havern, LUC Law '20, served as a Research Fellow researching issues of competition and collusion in the American theater industry and assisting the Institute in marketing and programming matters. Ms. Havern will be leaving the Institute in the spring of 2021 to begin to practice in Washington, D.C. with Guerrieri, Bartos & Roma, P.C.

Jasminka Pecotić Kaufman of Zagreb University is undertaking an empirical study of the issue of doctrinal and ideological foundations for antitrust law in Croatia,

as well as the related issue of enforcement goals and prioritization.

Margherita Colangelo, Associate Professor of Comparative Law, Rome Tre University, is focusing on excessive pricing and price gouging in European and U.S. pharmaceutical markets.

Joseph Wilson of McGill University, and former chair of the Pakistan Competition Commission, is exploring the emergence of digital platforms and the need for new competition tools.

Applications for next academic year's Non-Resident Research Fellows will open in June. Full details will be available on the Institute's website [LUC.edu/antitrust](https://luc.edu/antitrust).

INSTITUTE ADVISERS LEADS CHARGE FOR NATIONAL USURY LAW BASED ON THE MILITARY LENDING ACT

The Military Lending Act (MLA) established the nation's first national usury law. Former Senior Fellow Paul Kantwill, now an advisory board member, led the inter-agency federal rulemaking process that resulted in the 2015 implementing regulations. The regulations capped annual interest rates at 36% for nearly all loan products and services offered to military members and their families. Unfortunately, only active-duty servicemembers and their families were covered under the provisions of the MLA.

Paul and fellow advisory board member Chris Peterson, of the University of Utah School of Law, presented a paper at a Loyola conference proposing to extend the substantive coverage of the MLA to all consumers. The paper was published in the 2019 symposium edition of the Loyola Consumer Law Review and resonated with Congress. Both the United States Senate and the House of Representatives relied on the draft legislation proposed in the Kantwill-Peterson paper and introduced companion bills later that year. However, Congress adjourned without passage of the proposed Veterans and Consumer Fair Credit Act.

Paul, Chris, and other consumer advocates continue to press for the reintroduction of the bill in the new Congress and state legislatures. The passage of this bill is important for racial and economic justice in addition to traditional consumer protection issues. Research has shown that payday loans target vulnerable consumers, disproportionately affecting consumers of color, women, and other disadvantaged groups. The bill would be a welcome first step toward protecting such vulnerable communities from predatory lending products and practices.



PROFESSOR JORDAN PARADISE EXPLORES COMPETITION AND CONSUMER PROTECTION IN FDA DRUG REGULATION

Jordan Paradise is the Co-Director of the nationally renowned Beazley Institute for Health Law and Policy at LUC and a member of the U.S. Advisory Board for the Institute for Consumer Antitrust Studies. Her research focuses on FDA regulation of pharmaceuticals and biosimilars. Many of her recent publications focus on vital consumer protection and competition issues including the price of insulin, patient access to investigational drugs, and FDA enforcement against fraudulent COVID products. In addition to the many recent and forthcoming publications listed below, you can sample Professor Paradise's work on access, cost, and patent issues for COVID at [COVID-IP: Staring Down the Bayh-Dole Act with 2020 Vision](#), 7 J. L. & the Biosciences 1 (2020).



SELECTED INSTITUTE PUBLICATIONS

Christine Chabot, *The Lost History of Delegation at the Founding*, https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3654564

Justin Deffenbacher, Patrick Gilson & Elizabeth Miller, *The Health of Antitrust Norms Amidst a Global Pandemic* (News and Views)

Harry First & Spencer Weber Waller, *Pairing Public and Private Antitrust Remedies*, in *Albert A. Foer Liber Amicorum: A Consumer Voice in the Antitrust Arena* (2020)

Scott Hulver & Perri Nena Smith, *Real High Prices, Unreal Authority: HHS Lacks Rulemaking Power to Force Drug Price Disclosures* (News and Views).

Paul Kantwill, *An Interest Rate Cap Worked for the Military. It Can Work for Illinois Too*. CRAIN'S CHI. BUS. Feb. 11, 2021.

Jordan Paradise, *Insulin Federalism*, forthcoming BOST. U. J. SCI. & TECH. L (2021).

Jordan Paradise, *FDA Publicity and Enforcement in the Covid Era*, 60 WASHBURN L. REV. 77 (2021)(with Elise Fester).

Jordan Paradise, *Three Framings of "Faster" at the FDA and the Right to Try*, 11 Wake FOR. J. L. & POL'Y 53 (2020).

Spencer Weber Waller, *Institutions and Incentives in Antitrust Enforcement*, 4 MARKETS & COMP. L. REV. 15 (2020).

Spencer Weber Waller & Jacob Morse, *The Political Face of Antitrust*, 5 BROOK. J. CORP. FIN. & COMM. L. (2021).

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The Institute for Consumer Antitrust Studies is proud to welcome Bill Baer, the former AAG for Antitrust, and Acting Associate Attorney General, as our keynote speaker for the 21st Annual Loyola Antitrust Colloquium on Friday, April 15-16, 2021. For more information and to request an invitation for the colloquium please contact antitrust@luc.edu.

The Institute supports a more competitive consumer-friendly economy through a rich antitrust and consumer law curriculum, symposia, the Loyola Antitrust Colloquium, the Antitrust Marathon roundtable discussions, research, publication, a unique student fellowship, and the online Global Competition Law certificate programs.

For information on how to support the Institute, visit us on the web at Luc.edu/antitrust, [Facebook](#), [Twitter](#), [LinkedIn](#), or contact us at antitrust@luc.edu.

FACULTY, STAFF, AND STUDENTS OF THE INSTITUTE

Many thanks to the following people who helped make possible the many activities of the Institute during the past academic year.

Full-Time Faculty

Spencer Weber Waller; Christine Chabot; James Gathii; Jordan Paradise; Matthew Sag; Lea Shepard

Select Adjunct and On-Line Faculty

Theodore Banks; Jeffery Cross; Andre Fiebig; Dr. Alan Frankel; Michal Gal; Imelda Maher; Dr. Philip Marsden; James Morsch; David Sorkin

Non-Resident Research Fellows

Margherita Colangelo; Megan Havern; Jasminka Pecotic Kaufman; Joseph Wilson

2020-21 Student Fellows

Justin Deffenbacher; Reilly Dougherty; Danielle Feingold; Patrick Gilsean; Scott Hulver; Anna Kenneally; Blake Kolesa; Sean Linehan; Elizabeth Miller; Jacob Morse; Perri Smith; Rory Svoboda

Staff

Evelyn Gonzalez— Administrator

For the members of the Institute Advisory Boards and donors see the web site for the individuals who generously give of their time and resources see LUC.edu/antitrust.

