


Virginia State Bar Meeting
Virginia Beach, VA
June 20, 2008

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Chief Deputy Attorney General
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State Attorney General Activity in Merger Enforcement

- Attorneys General began bringing merger cases in the mid-1980's
- Attorneys General role in merger enforcement formalized in mid-1990's
- Attorneys General now bring cases with the federal enforcement agencies and by themselves.

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1980's Enforcement Efforts

- Pennsylvania Challenged May/Associated Dry Goods
- California Challenged American Stores/Lucky Stores
- New York Challenged May Company/McCurdy Department Stores
 - All of the above reviewed by the FTC

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1990's

- States and Federal Agencies cooperate on series of mergers.
 - Federal agencies develop a federal/state merger cooperation protocol
 - States get access to Hart-Scott-Rodino filings if parties agree and states promise confidentiality
 - States develop pre-merger compact and Horizontal Merger Enforcement Guidelines.

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Thank you

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