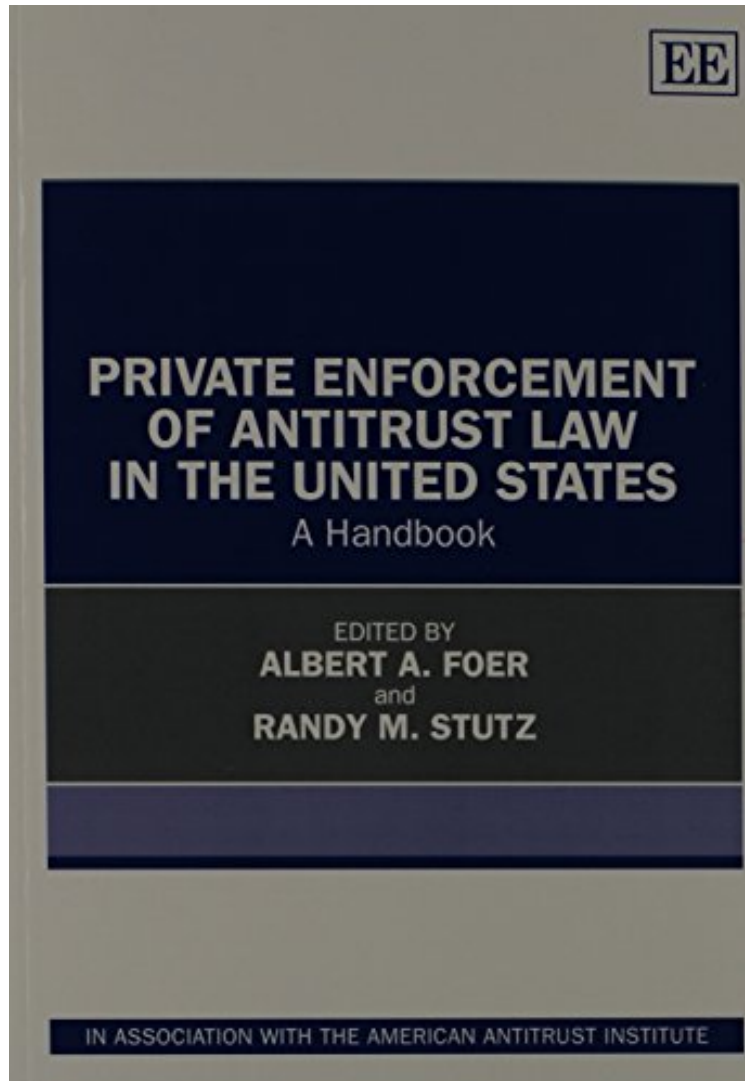


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Private Enforcement of Antitrust Law in the United States: A Handbook

Albert A. Foer, Randy M. Stutz
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examines the methods of redressing such harms (in the American context), by private individuals and/or organizations, rather than government agencies. This book by Albert A. Foer and Randy M. Stutz, which as the title indicates, has been prepared for the American market, focuses on an incredibly broad range of antitrust issues, which in the UK we would consider similar to policy in the UK on Mergers and Acquisitions. Prepared in association with the Washington DC-based American Antitrust Institute, the book is actually a collection of learned essays and articles by no less than thirty-four prominent US practitioners specializing in this field. Bearing in mind that regardless of differences in the legal landscape between the US and the UK, the book will undoubtedly interest UK practitioners if only because the corporate problems that occur in antitrust matters and the issues raised as a result are remarkably similar, regardless of whether they emerge on one side of the Atlantic or the other. One of the distinguishing features of the book is that it is suitable, not to mention enlightening, for both experienced and inexperienced practitioners alike, as well as say, academics, students and government officials. Whether novice or expert in this field, fans of John Grisham novels will recognize the mighty reach of the class action, referred to as Rule 23. Interestingly, the editors mention at least two recent cases (including the one involving Wal-Mart Stores) that threaten to fundamentally alter the use of the class action which has been, in their words, the primary procedural mechanism for the private redress of widespread harm caused by antitrust violations. Following Professor Landes' introduction on the benefits of private enforcement, the book's ensuing 15 chapters examine in more or less chronological order, a variety of issues and strategies including, to cite only a few examples, the acts which constitute violations of US antitrust law, the investigative and other activities which may precede a complaint, the decisions involved in initiating a private action and more; in particular, matters of funding and the strategic and practical considerations associated with settlement. This is indeed a strategic legal resource for tactical legal planning in antitrust matters. The meticulous and extensive footnotes throughout point the way down almost innumerable avenues for further research and there is a detailed index at the back for further ease of use. As the publication date is 2012, this is probably one of the most up to date research projects published in this area of law and ideal for those professionally involved in antitrust matters.

Private Enforcement of Antitrust Law in the United States is a comprehensive Handbook, providing a detailed, step-by-step examination of the private enforcement process, as illuminated by many of the country's leading practitioners, experts, and scholars. Written primarily from the viewpoint of the complainant, the Handbook goes well beyond a detailed cataloguing of the substantive and procedural considerations associated with individual and class action antitrust lawsuits by private individuals and businesses. It is a collection of thoughtful essays that delves deeply into practical and strategic considerations attending the decision-making of private practitioners. This eminently readable and authoritative Handbook will prove to be an invaluable resource for anyone associated with the antitrust enterprise, including both inexperienced and seasoned practitioners, law professors and students, testifying and consulting economists, and government officials involved in overlapping public/private actions and remedies. Contributors: W.K. Arends, A.C. Briggs, W.J. Bruckner, P.B. Clayton, C.C. Corbitt, E.L. Cramer, M.B. Eisenkraft, A.A. Foer, A.J. Gaughan, P. Gilbert, J. Goldberg, D.E. Gustafson, M.D. Hausfeld, K. Kinsella, R.H. Lande, J. Langenfeld, S. Martin, K.J.L. O'Connor, H.L. Renfro, J.D. Richards, V. Romanenko, J.L. Rubin, M.R. Salzwedel, A.E. Shafroth, D.C. Simons, S.P. Slaughter, R.M. Stutz, B.E. Sweeney, J. Tabacco, M.J. Waters, S. Wheatman, K.C. Wildfang, G.G. Wrobel, J.A. Zahid

The 2012 Handbook is one of the most practical and strategic looks at the formulation and conduct of private treble litigation available. It is practically unique in going beyond the substance of the antitrust law and giving the reader a peek behind the curtain as to how private antitrust litigation actually functions. It will prove to be of great value to students and practitioners, both inside and outside the United States, who want to understand what really occurs in and outside the courtroom. --World Competition: Law and Economics About the Author Edited by Albert A. Foer, President, American Antitrust Institute, US and Randy M. Stutz, Director of Special Projects, American Antitrust Institute