



**OECD COMPETITION WORKSHOP
FOR JUDGES**

EVIDENCE IN CARTEL PROCEEDINGS

15~17 October 2014

Seoul, Korea

OECD KOREA Policy Centre

Competition Programme

Workshop Agenda

Set out below are the topics for discussion at the workshop.

The format for each session will be that a speaker gives a presentation for 45 minutes to an hour and with 30 to 45 minutes of discussion to follow.

Wednesday, 15 October 2014

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| 9:00 – 9:10 | Welcome and Opening Remarks from the OECD/Korea Policy Centre, Competition Programme

<i>Director General Kyeoung Man LEE</i>
OECD Korea Policy Centre, Competition Programme |
| 9:10 – 9:30 | Introduction to the OECD/Korea Policy Centre

<i>Director Heeun Jeong</i>
OECD Korea Policy Centre, Competition Programme |
| 9:30 – 10:00 | Introductions – participants will each have a few minutes to introduce themselves to the group and to talk about what their current role is and what they hope to gain from the workshop |
| 10:00 – 10:15 | Coffee Break |
| 10:15 – 11:00 | Overview of Cartel Prohibition in a Modern Competition Law

<i>Nicolas TAYLOR</i>
Consultant to the OECD and Partner, Jones Day |
| 11:00 – 12:30 | Different Types of Cartels and Evidentiary Issues they Raise

<i>Judge Douglas GINSBURG</i>
US Court of Appeals, Washington DC Circuit |
| 12:30 – 14:00 | Photo session and lunch |
| 14:00 – 15:45 | Implication of Recent Korean Cartel Case-Ramen case of 2013

<i>Judge Jae Hun JEONG,</i>
Seoul High Court, Korea |
| 15:45 – 16:00 | Coffee Break |

16:00 – 17:30 **Direct Evidence in Cartel Cases**
*Ruben MAXIMIANO,
Senior competition Expert, OECD Korea Policy Centre*

18:00 **Welcome Dinner**

Thursday, 16 October 2014

9:00 – 10:30 **Hypothetical Case Study Reviewing**
‘You Be the Judge’
*Presentation of arguments by Nicolas TAYLOR and Ruben MAXIMIANO
Discussion of proposed findings and reasoning – all attendees*

10:30 – 10:45 **Coffee Break**

10:45 – 11:45 **Making Cartel Decisions on the Basis of Indirect Evidence**
*Nicolas Taylor
Consultant to the OECD and Partner, Jones Day*

11:45 – 13:00 **Dealing with Economic Evidence**
*Dr Rhonda Smith
Senior Lecturer, Department of Economics, University of Melbourne
Lay Member, High Court of New Zealand*

13:00 – 14:00 **Lunch**

14:00 – 18:00 **Tour of Seoul** – Participants will meet at hotel lobby at 14:00. Detailed information will be distributed by email a week before the workshop.

18:00 **Dinner at a restaurant in Seoul**

Friday, 17 October 2014

9:00 – 10:15 **Legal Frameworks / Models for Cartel Enforcement**
*President Carl BAUDENBACHER,
President, European Free Trade Association (EFTA) Court*

10:15 – 10:30 **Coffee Break**

10:30 – 12:30 **Sanctions and Remedies in Cartel Cases**
*Judge Douglas GINSBURG
US Court of Appeals, Washington DC Circuit
and
Professor Bruce H. KOBAYASHI
School of Law, George Mason University*

12:30 – 14:00 **Lunch**

14:00 – 15:00 **Access to the Agency’s File by Follow-on Private Litigants**

*President Carl BAUDENBACHER,
President, European Free Trade Association (EFTA) Court*

15:00 – 15:30

Closing Remarks

Director General Kyeoung Man LEE