

Making Competition Work:

Promoting Competition in Labor Markets



December 6-7, 2021
Speaker Bios

Introductory Remarks

Jonathan Kanter was confirmed on November 17, 2021, as Assistant Attorney General for the Antitrust Division. Throughout his career, Mr. Kanter has been a leading advocate for strong and meaningful antitrust enforcement and competition policy. Mr. Kanter has been a partner in the Washington, D.C. offices of two national law firms and was the founder of a boutique antitrust law firm dedicated to promoting antitrust enforcement. Mr. Kanter began his career as an attorney for the Federal Trade Commission's Bureau of Competition. He earned his J.D. from Washington University in St. Louis and his B.A. from State University of New York at Albany.

Lina M. Khan was sworn in as Chair of the Federal Trade Commission on June 15, 2021. Prior to becoming head of the FTC, Khan was an Associate Professor of Law at Columbia Law School. She also previously served as counsel to the U.S. House Judiciary Committee's Subcommittee on Antitrust, Commercial, and Administrative Law, legal adviser to FTC Commissioner Rohit Chopra, and legal director at the Open Markets Institute. Khan's scholarship on antitrust and competition policy has been published in the *Columbia Law Review*, *Harvard Law Review*, *University of Chicago Law Review*, and *Yale Law Journal*. She is a graduate of Williams College and Yale Law School.

Morning Keynote Speaker

Joseph E. Stiglitz is an American economist and a professor at Columbia University. He is the co-chair of the High-Level Expert Group on the Measurement of Economic Performance and Social Progress at the OECD, and the Chief Economist of the Roosevelt Institute. A recipient of the Nobel Memorial Prize in Economic Sciences in 2001, he is a former senior vice president and chief economist of the World Bank and a former member and chairman of the Council of Economic Advisers. In 2000, Stiglitz founded the Initiative for Policy Dialogue, a think tank on international development based at Columbia University. In 2011, he was named by Time magazine as one of the 100 most influential people in the world. Known for his pioneering work on asymmetric information, Stiglitz focuses on income distribution, asset risk management, climate change, corporate governance, and international trade. He is the author of numerous books including *People, Power, and Profits: Progressive Capitalism for an Age of Discontent* and *Globalization and Its Discontents Revisited*.

Afternoon Keynote Speaker

Tim Wu is the Special Assistant to the President for Technology and Competition Policy. He was most recently a Professor at Columbia University law school. He previously served as senior enforcement counsel to the New York Attorney General, as a senior advisor at the Federal Trade Commission, and an advisor at the National Economic Council. He was also a law clerk for Stephen Breyer of the United States Supreme Court and Richard Posner of the Seventh Circuit Court of Appeals. Born in Washington D.C., Wu is a graduate of McGill University and Harvard Law School.

Panel I: Litigating Labor Monopsony: Mergers and Unilateral Conduct

Rachel S. Brass is a partner in the San Francisco office of Gibson, Dunn & Crutcher and co-chair of the Firm's Antitrust and Competition Practice Group. She is a member of the firm's Litigation Department where her practice focuses on investigations and litigation in the antitrust, labor, and employment areas. Ms. Brass also has extensive experience representing international and domestic clients in high-stakes appellate litigation in the Supreme Court. She has special expertise in international matters and teaches an upper-level course in International Antitrust Law at Berkeley Law School. Recent victories in the labor market space include defeating class certification in no-poach lawsuits against McDonald's and Jimmy John's.

Joshua P. Davis is a Research Professor at U.C. Hastings College of the Law, and on January 1, 2022, he will become a shareholder at Berger Montague PC and manage its new San Francisco Bay Area Office. He is one of the foremost scholars in the country on private antitrust enforcement and class litigation. He has represented and continues to represent plaintiffs in numerous antitrust class actions, including workers. He has played a central role in representing the plaintiffs in ongoing antitrust litigation on behalf of MMA fighters against the UFC. He has also recently co-authored an article, Antitrust as Antiracism: Antitrust as a Partial Cure for Systemic Racism (and Other Systemic "Isms"), which discusses the UFC litigation as well as other cases.

Michael Kades is the director for markets and competition policy at the Washington Center for Equitable Growth. His research focuses on competition and antitrust enforcement, with an emphasis on consumers, wages, equality, and innovation. Prior to joining Equitable Growth, Michael worked as antitrust counsel for Sen. Amy Klobuchar (D-MN), the ranking member on the Senate Judiciary Subcommittee on Antitrust, Competition Policy and Consumer Rights, where he led efforts to reform antitrust laws. Previously, he spent 20 years investigating and litigating some of the most significant antitrust actions as an attorney at the Federal Trade Commission. During his time at the FTC, he was an attorney advisor to Chairman Jon Leibowitz. He has testified before Congress and the Federal Trade Commission and has been cited by The New York Times, The Washington Post, and other media outlets on antitrust enforcement and competition policy matters. Kades is a graduate of Yale University and the University of Wisconsin Law School.

Doha Mekki is an Assistant Chief in the Defense, Industrials, and Aerospace Section at the Antitrust Division of the U.S. Department of Justice, where she supervises attorneys and provides guidance on the section's civil merger and conduct investigations and enforcement matters. In 2021, she was designated the Division's Special Counsel for Labor. In that capacity, she helps advance the Division's civil and criminal enforcement in labor markets. Ms. Mekki joined the Antitrust Division in 2015 as a Trial Attorney in the Defense, Industrials, and Aerospace Section. From 2018 to 2020, she was detailed to the Front Office as a Counsel to the Assistant Attorney General. She is a two-time recipient of the Assistant Attorney General's Award of Distinction and she has testified before Congress about competition in labor markets. Ms. Mekki holds a B.A. from Duke University, a J.D. from the University of Pennsylvania Law School, and an M.B.E. (Bioethics) from the Department of Medical Ethics at the University of Pennsylvania Perelman School of Medicine.

Fiona M. Scott Morton is the Theodore Nierenberg Professor of Economics at the Yale University School of Management where she has been on the faculty since 1999. Her area of academic research is industrial organization, with a focus on empirical studies of competition. The focus of her current

research is competition in healthcare markets and the economics of antitrust. From 2011-12 Professor Scott Morton served as the Deputy Assistant Attorney General for Economic Analysis (Chief Economist) at the Antitrust Division of the U.S. Department of Justice, where she helped enforce the nation's antitrust laws. At Yale SOM she teaches courses in the area of competitive strategy and antitrust economics. She served as Associate Dean from 2007-10 and has won the School's teaching award three times. She founded and directs the Thurman Arnold Project at Yale, a vehicle to provide more antitrust programming and policy projects to Yale students. Professor Scott Morton has a BA from Yale and a PhD from MIT, both in Economics. She is a frequent speaker at seminars and conferences across the United States and Europe.

Panel II: Labor Perspective on Competition Issues

Lisa Frank is the Executive Vice President of SEIU Healthcare Pennsylvania. She is a fierce advocate for frontline caregivers and has more than a two decades of deep experience in the healthcare industry in Pennsylvania and beyond. She is primed to cover: monopsony impact on workers of healthcare industry consolidation, including lower pay and less favorable working conditions as well as non-compete restrictions; other ways that employer power is manifest in worker abuses that are not traditionally recognized in competition analysis, and the need to think outside the strict competition space and consider proactive policy measures to ensure worker power in labor markets and on the job; and labor market frictions and the need for lower market share thresholds in labor market concentration analysis.

Iain Gold is the Director of the International Brotherhood of Teamsters Strategic Research and Campaigns Department a position he has held for the past 16 years. The department supports the Teamsters national organizing campaigns, contract negotiations and closely follows industry, technology and policy trends and decisions that impact Teamster industries. Iain holds a M.S. in Industrial Relations from the University of Wisconsin-Madison and a B.A. in Economics from the Pennsylvania State University.

Miriam Larson-Koester is an economist in the Bureau of Economics at the Federal Trade Commission. She holds a PhD in Economics from Cornell University with a research focus in labor economics. Her research centers on the intersection of gender and labor. Her papers include works on preference in the United States, the labor supply choices of households, and the relationship between occupation gender composition and occupation choice.

John Marshall is a Senior Capital Markets Analyst with the United Food and Commercial Workers' Capital Stewardship Program. At the UFCW, Marshall conducts financial research on public and private companies and works closely with investors and analysts on corporate governance matters. Marshall was the UFCW staff liaison to the AFL-CIO's Commission on the Future of Work and Unions, and recently served on the state of California's Future of Work Commission. Marshall graduated from the University of California at Santa Cruz with a degree in American Studies, received his MBA from the UCLA Anderson School of Management, and is a holder of the Chartered Financial Analyst (CFA) designation. Prior to joining the UFCW, Marshall was Research Director for the SEIU Capital Stewardship Program.

Marka Peterson is the Legal Director and Associate General Counsel at the Strategic Organizing Center or SOC. SOC is a labor federation whose affiliate unions include the International Brotherhood of Teamsters, the Service Employees International Union, the Communication Workers of America, and the United Farm Workers that together represent more than 4 million workers. Marka has spent her career

fighting for working people. She worked for the labor movement for several years prior to attending law school as a strategic researcher and campaigner, then attended New York University, graduating Order of the Coif. Since then she has worked as a fellow at Public Citizen Litigation Group, prosecuted securities and consumer class actions and human rights cases at a plaintiffs' firm, and spent several years designing legal strategies and tactics to hold corporations accountable to working people at SOC and its predecessor, Change to Win.

Shannon Wait, a former TVC at a Google Data Center, made history when she was the first Alphabet Workers Union-CWA member to file unfair labor practices against Google and Modis after she was told she was not allowed to discuss pay or join a union. Both Google and Modis settled - a win for a small minority union and workers in right-to-work states. Now, Shannon organizes alongside TVCs in AWU-CWA and Alphabet as a campaign assistant.

Panel III: Contractual Restraints that Can Impede Worker Mobility

Richard Cassidy chaired the Drafting Committee for the Uniform Restrictive Employment Agreement Act. He has represented thousands of employees in employment disputes and litigated many cases involving covenants not to compete and other restrictive employment agreements. Rich is a Vermont tort and employment lawyer with more than 40 years of experience. He has served as a Uniform Law Commissioner since Vermont Governor Howard Dean appointed him in 1994. He was the President of the Uniform Law Commission from 2015 – 2017 and served as Chair of the ULC Executive Committee, and of its Scope and Program Committee. He was a ULC Secretary and served on its Executive Committee for 12 years. He is an elected Member of the American Law Institute, a member of the National Employment Lawyer's Association, the Vermont Association for Justice, and the Vermont Trial Lawyers Association. He is a 1978 graduate of Albany Law School and a 1975 graduate of the University of Vermont.

Terri Gerstein is the Director of the State and Local Enforcement Project at the Harvard Law School Labor and Worklife Program and a Senior Fellow at the Economic Policy Institute. She was recently an Open Society Foundations Leadership in Government Fellow. Previously, Terri was the Labor Bureau Chief in the New York State Attorney General's Office and a Deputy Commissioner in the New York State Department of Labor. Before her government service, Terri was a nonprofit lawyer in Miami, Florida, where she represented immigrant workers and co-hosted a Spanish language radio show on workers' rights. Her writing on workers' rights issues has appeared in the *New York Times*, *the Washington Post*, *Politico*, *NBC News Think*, *CNN Business*, *Slate*, *the Guardian*, *the Nation*, and *the American Prospect*, among others. She's a graduate of Harvard College and Harvard Law School.

Daniel Gilman is an Attorney Advisor in the FTC's Office of Policy Planning, where he works on competition issues in health care and technology markets. He co-authored the FTC staff policy paper, *Policy Perspectives: Competition and the Regulation of Advanced Practice Nurses*, and he contributed to the FTC Staff Report, *Broadband Connectivity Competition Policy*. In addition, he has published in numerous law, policy, and scientific journals. In 2014-15, he was the Victor H. Kramer Foundation Fellow at Harvard Law School, visiting from the FTC. Mr. Gilman came to the FTC from the University of Maryland, where he was for two years a visiting professor of law, teaching law and economics and health and science law. He holds a PhD from the University of Chicago, a JD from Georgetown, and an AB from Dartmouth College.

Marcia Goodman, a partner in Mayer Brown's Chicago office, primarily represents global employers on a wide range of US and cross-border employment law matters. She frequently prosecutes and defends actions in state and federal courts—and before arbitration panels—related to the enforcement of trade secret provisions, covenants not to compete, non-disclosure agreements and non-solicitation agreements. She also has experience drafting employment contract language for clients to protect them against unfair competition and improper solicitation of customers and employees, as well as misappropriation of trade secrets. She defends employers in class action and pattern and practice discrimination claims, retaliation and whistleblower actions under the Sarbanes-Oxley, Dodd-Frank Acts and other laws. Marcia has been recognized as a leading employment lawyer by Chambers USA from 2008-2021, a key contact in Chambers Global and one of the Best Lawyers in America from 2010-2021. Since 2018, she has also been recognized as one of Benchmark Litigation's Labor and Employment Stars and noted as a key lawyer by Legal 500 US.

Michael Lipsitz is an economist in the Bureau of Economics at the Federal Trade Commission. He previously worked as a professor at Miami University in Ohio and holds a PhD in Economics from Boston University. His research spans labor economics and the economics of contracting, with a focus on labor mobility and power dynamics in labor markets and within firms. He has a particular interest in the effects of covenants not to compete and occupational licensing on workers, entrepreneurs, and businesses. His work has been published in leading academic journals and has been mentioned in the *New York Times* and the *Wall Street Journal*.

Evan Starr is an Assistant Professor of Management & Organization at the Robert H. Smith School of Business, University of Maryland. Formerly a professor at the University of Illinois, Dr. Starr received his PhD in Economics from the University of Michigan. His research examines issues at the intersection of human capital, entrepreneurship, and technology. He is particularly interested in the impacts of postemployment restrictive covenants on workers and firms. Dr. Starr has authored more than a dozen articles in leading journals in economics and management and testified in front of the US Senate and the US House of Representatives. His research has been covered in major news outlets including *The New York Times*, *The Wall Street Journal*, *The Economist*, *NPR*, *Financial Times*, and *The Washington Post*. Dr. Starr received funding for the research he may discuss today from the University of Michigan and from the Ewing Marion Kauffman Foundation.

Panel IV: Information Sharing Among Employers: Harms, Benchmarks & Lessons from Industry

Laura Alexander is the Vice President of Policy at the American Antitrust Institute (AAI), where she researches, writes, and advocates on antitrust issues. Prior to joining AAI, Laura spent a decade in private practice litigating pathbreaking antitrust cases. Laura regularly files amicus briefs on a wide range of antitrust issues, including buyer-side market power and anticompetitive conduct by employers. Laura's research and scholarship includes work on monopoly, conspiracy standards, and bargaining power, among other topics.

Peter C. Carstensen is the Fred W & Vi Miller Chair in Law Emeritus at the University of Wisconsin Law School and a Senior Fellow of the American Antitrust Institute. His scholarship and teaching have focused on competition policy issues. He is the author of *COMPETITION POLICY AND THE CONTROL OF BUYER POWER: A GLOBAL ISSUE* (2017), co-edited *FEDERAL STATUTORY EXEMPTIONS FROM ANTITRUST LAW* (ABA, 2007); and co-edited *COMPETITION POLICY AND MERGER ANALYSIS IN DEREGULATED AND NEWLY COMPETITIVE*

INDUSTRIES (2008). He has also done extensive research on the competition issues in agricultural markets.

Ryan Danks is chief of the Washington Criminal I Section of the Antitrust Division. Previously Ryan served as an assistant chief, counsel to the Assistant Attorney General, and as a trial attorney responsible for prosecuting cartels and official corruption, and litigating merger and non-merger civil enforcement actions.

Joseph Harrington is the Patrick T. Harker Professor at The Wharton School of the University of Pennsylvania. His research on collusion and cartels has been published in leading economic and law journals for which he has received several awards including the Antitrust Writing Award for Best Concerted Practices and Honorable Mention for the Jerry S. Cohen Memorial Fund Writing Award for antitrust scholarship. He is the author or co-author of *Economics of Regulation and Antitrust*, *The Theory of Collusion and Competition Policy*, and, just released, *Hub-and-Spoke Cartels: Why They Form, How They Operate, and How to Prosecute Them*.

Jeffrey Kessler focuses his practice on all aspects of antitrust/competition, sports law, intellectual property (IP), complex litigation, and government criminal and civil investigations. He has been lead counsel in some of the most complex antitrust, sports law, and intellectual property law cases in the country, including major jury trials, and has represented a number of U.S. and international companies in criminal and civil investigations in the antitrust, trade, and Foreign Corrupt Practices Act (FCPA) areas. He successfully defended Matsushita and JVC against claims of a worldwide conspiracy in the landmark U.S. Supreme Court case *Zenith v. Matsushita* and is regarded as a leading commentator on international antitrust law. He has also been the lead counsel in numerous IP cases involving frontier issues of IP law and lead counsel in numerous government criminal and civil investigations. He is a member of the firm's Videogame, Gaming and Esports Group dedicated to providing comprehensive legal solutions to companies in these industries. Jeffrey is also one of the most prominent lawyers in the country regularly engaged in high-profile sports litigation.

Doug Melamed is Professor of the Practice of Law at Stanford Law School. He joined the Stanford faculty in 2014. In the Fall of 2017, he was the Florence Rogatz Visiting Professor in the Practice of Law at Yale Law School. From 2009 until 2014, Doug was Senior Vice President and General Counsel of Intel Corporation and was responsible for overseeing Intel's legal, government affairs, and corporate affairs departments. Prior to joining Intel in 2009, he was a partner in the Washington, D.C., office of WilmerHale, a global law firm in which he served as a chair of the Antitrust and Competition Practice Group. From 1996 to 2001, he served in the U.S. Department of Justice as Acting Assistant Attorney General in charge of the Antitrust Division and, before that, as Principal Deputy Assistant Attorney General. Doug has authored numerous articles on antitrust, patent law, and law and economics. He is a Life Member of the American Law Institute and a Contributing Editor of the *Antitrust Law Journal* and a former member of the boards of directors of the Nasdaq exchanges. Doug received his B.A. from Yale and his J.D. from Harvard.

Nathan Miller is the Saleh Romeih Associate Professor at the Georgetown University McDonough School of Business and an editor at the *Journal of Law and Economics*. His research covers topics in the fields of industrial organization and antitrust economics, with a recent focus on collusion and the competitive effects of mergers. Prior to joining Georgetown University, Professor Miller served as an economist at the U.S. Department of Justice, where he provided economic analysis for antitrust investigations. He

holds a Ph.D. in economics from the University of California, Berkeley and a B.A. from the University of Virginia.

Ellie Prager is an Associate Professor at the Kellogg School of Management, Northwestern University and currently a Visiting Economist at the Department of Justice Antitrust Division. Prager's academic research focuses on the health care sector, including price determination, insurance plan design, mergers, and health care labor markets. At Kellogg, she teaches data analytics and economics.

Panel V: Building a "Whole-of-Government" Competition Policy

Sharon Block is the Associate Administrator of the Office of Information and Regulatory Affairs. Since January 20, 2021, she has been delegated the responsibility to lead OIRA. Sharon formerly served as the Executive Director of Harvard Law School's Labor and Worklife Program and was a Lecturer on Law at HLS. During the Obama administration she served as a member of the National Labor Relations Board, as head of the Policy Office at the Department of Labor, and in the White House where she led the historic White House Summit on Worker Voice.

Heather Boushey is a member of the Council of Economic Advisers in the Biden administration. She is a co-founder of the Washington Center for Equitable Growth, which was launched in 2013. She served as the President & CEO and a Steering Committee member from 2013–2020. She is one of the nation's most influential voices on economic policy and a leading economist who focuses on the intersection between economic inequality, growth, and public policy. Her latest book, *Unbound: How Economic Inequality Constricts Our Economy and What We Can Do About It* (Harvard University Press), which was called "outstanding" and "piercing" by reviewers, was on the Financial Times list of best economics books of 2019. She is also the author of *Finding Time: The Economics of Work-Life Conflict*, and co-edited a volume of 22 essays about how to integrate inequality into economic thinking called *After Piketty: The Agenda for Economics and Inequality*.

Ben Harris is a counselor to the Secretary of the Treasury and a nominee to be Assistant Treasury Secretary for Economic Policy. Prior to joining the Treasury Department, Harris was the Executive Director of the Kellogg Public-Private Initiative and a research associate professor at Northwestern University's Kellogg School of Management, in addition to serving as the chief economist to the evidence-based policy organization Results for America. He also founded and was president of the economic consulting group Cherrydale Strategies. Earlier in his career, he served as the chief economist and economic adviser to then-Vice President Joe Biden, was the policy director of The Hamilton Project, a fellow in Economic Studies at the Brookings Institution, and deputy director of the Retirement Security Project. In addition, Harris was a senior research associate with the Urban Institute and the Urban-Brookings Tax Policy Center. Prior to joining the Urban Institute, Harris worked at the White House as a senior economist with the Council of Economic Advisers, where he specialized in fiscal policy and retirement security. He has also served as a research economist at the Brookings Institution and as a senior economist with the Budget Committee in the U.S. House of Representatives. Harris has also taught as an adjunct professor at the policy schools at the University of Maryland and Georgetown University. He holds a Ph.D. in economics from George Washington University, in addition to a master's degree in economics from Cornell University and a master's degree in quantitative methods from Columbia University. He earned his BA in economics at Tufts University. In 2000, Harris was awarded a Fulbright Scholarship to Namibia.

Jack Mellyn is an Attorney Advisor in the Antitrust Division's Competition Policy & Advocacy Section and serves as co-chair of the Division's Labor Discussion Group, which seeks to advance the Division's civil enforcement and policy efforts with respect to competition in labor markets. Prior to joining the Division, Jack worked as an antitrust associate at two international law firms, clerked in the Northern District of California, and served as a legislative assistant in the U.S. House of Representatives and as a law clerk for the Senate Judiciary Committee. Jack holds a B.A. in History and Political Science from The Ohio State University and a J.D. from the Georgetown University Law Center.

Rajesh D. Nayak is the Assistant Secretary for Policy in the Office of the Assistant Secretary for Policy (OASP) at the United States Department of Labor. Raj previously served in a range of senior roles at the Department during Obama-Biden Administration, including as the Secretary's Deputy Chief of Staff, Deputy Assistant Secretary for Policy, and Senior Counsel to the Solicitor. Outside of government, Raj has worked in nonprofit organizations both as an attorney and a senior leader, as a Fellow at the Labor & Worklife Program at Harvard Law School, and a consultant. He earned an undergraduate degree in public policy from the University of Chicago and a law degree from Yale.

Heidi Shierholz is the President of the Economic Policy Institute, a nonprofit, nonpartisan think tank that uses the power of its research on economic trends and on the impact of economic policies to advance reforms that serve working people, deliver racial justice, and guarantee gender equity. From 2017 to 2021, Shierholz served as EPI's Senior Economist and Director of Policy. Prior to this position, she served as chief economist at the Department of Labor under the Obama administration. Outside of government, Shierholz was an assistant professor of economics at the University of Toronto. She holds a PhD in Economics from the University of Michigan.

Fireside Chat: Worker Bargaining and the Antitrust Laws – 19th Century through the Present

Herbert Hovenkamp is the James G. Dinan University Professor, University of Pennsylvania Law School and the Wharton School, where he teaches antitrust law, American legal and Constitutional history, torts, and intellectual property and antitrust policy. He is a Fellow of the American Academy of Arts and Sciences, and in 2008 won the Justice Department's John Sherman Award for his lifetime contributions to antitrust law. Prior to 2017 he was a professor at the University of Iowa. His legal history writing includes *The Opening of American Law: Neoclassical Legal Thought, 1870-1970* (Oxford, 2015); *Enterprise and American Law, 1836-1937* (Harvard, 1991); *The Progressive Antitrust Toolbox* (in progress). His principal antitrust scholarship includes *Antitrust Law: An Analysis of Antitrust Principles and their Application* (formerly with the late Phillip E. Areeda and the late Donald F. Turner); and *Federal Antitrust Policy: the Law of Competition and its Practice* (6th ed. 2020); and *Principles of Antitrust* (West, 2d ed. 2021); *IP and Antitrust: an Analysis of Antitrust Principles Applied to Intellectual Property Law* (with Mark D. Janis, Mark A. Lemley, Christopher Leslie, and Michael Carrier) (2 vols., Aspen, 3d ed. 2021); *Antitrust Harm and Causation*, Wash. Univ. L. Rev. (2021) (forthcoming); *Antitrust and Platform Monopoly*, 130 Yale L.J. 1952 (2021); *Antitrust Error Costs*, 24 Univ. Pa. J. Bus. L. (2021) (forthcoming). For other scholarly publications, see https://papers.ssrn.com/sol3/cf_dev/AbsByAuth.cfm?per_id=23858#reg.

Sanjukta Paul has written widely at (generally speaking) the intersection of antitrust and labor, with recent papers in the Yale Law Journal, the UCLA Law Review, and Law & Contemporary Problems, among others. She is currently completing a book, *Solidarity in the Shadow of Antitrust: Labor and the Legal Idea of Competition* (Cambridge University Press), which reinterprets key historical developments

in antitrust law viewed in relation to labor and workers; she also co-edited the comparative Cambridge Handbook of Labor in Competition Law, due out in a few months. She earned her J.D. from Yale Law School; clerked on the Ninth Circuit Court of Appeals; and practiced for several years as a public interest lawyer in Los Angeles, focusing on labor and civil rights issues. She is assistant professor of law at Wayne State, and has also served as a visiting professor at Minnesota and Fordham.

Andrew Schupanitz is a trial attorney in the San Francisco Office of the U.S. Department of Justice, Antitrust Division. He has worked on both criminal and civil enforcement matters since joining the Division in 2016 as an Honors Attorney, and received an Assistant Attorney General's Award in 2020. Prior to joining the Division, he studied the history of labor and competition law in France. In 2020, he completed his doctoral dissertation, *Revolutionary Competition: Coalitions, Labor, and the Birth of French Antitrust, 1791-1864*. He holds a PhD in History from Stanford University, a JD from Stanford Law School, and a BA from Washington University in St. Louis.

Panel VI: Collective Bargaining in the Gig Economy

Jennifer Abruzzo is General Counsel for the National Labor Relations Board. The General Counsel, appointed by the President to a 4-year term, is independent from the Board and is responsible for the investigation and prosecution of unfair labor practice cases and for the general supervision of the NLRB field offices in the processing of cases. Ms. Abruzzo had previously worked for the NLRB for over two decades, including as Field Attorney, Supervisory Field Attorney, Deputy Regional Attorney, Deputy Assistant General Counsel, Deputy General Counsel, and Acting General Counsel. Immediately prior to her appointment as General Counsel, Ms. Abruzzo served as Special Counsel for Strategic Initiatives for the Communications Workers of America.

Eric Dunn is an attorney in the Competition Policy and Advocacy Section at the United Department of Justice Antitrust Division. He has worked on policy issues and investigations related to digital platforms, labor markets, and a variety of other issues. Before coming to the Antitrust Division, Eric worked at the U.S. Attorney's Office for the District of Columbia, the Court of Appeals for the Federal Circuit, and the Eastern District of Texas.

Gail Levine is a partner in Mayer Brown's Washington DC office, where she co-leads the firm's global Antitrust & Competition practice. She joined Mayer Brown from the US Federal Trade Commission's (FTC) Bureau of Competition, where she served as a deputy director under Chairman Joseph Simons and Acting Chairwoman Rebecca Slaughter. Gail joined the FTC as a deputy director of the Bureau of Competition in 2018. In this role, she supervised over 100 lawyers in five divisions, handling all aspects of antitrust review. She oversaw a wide variety of merger reviews, anticompetitive conduct investigations and antitrust litigation, particularly in areas such as high-tech, pharmaceuticals, biotech and health care. She helped establish the new Technology Enforcement Division, which investigates anticompetitive conduct in digital markets. Previously, she spent more than a decade in-house. She was one of Uber's top lawyers, working as head of US regulatory affairs and as director for competition, where she counseled senior business and legal executives on emerging competition and regulatory issues. She also served as vice president and associate general counsel at Verizon Communications, where she handled antitrust and IP issues.

Marshall Steinbaum is Assistant Professor of Economics at the University of Utah. He is a labor economist by training who studies employer power in labor markets and its policy implications, including for antitrust and the regulation of the gig economy.

John M. Taladay is Co-Chair of the Antitrust practice of Baker Botts. He is well-recognized as a leading global antitrust practitioner, known for his work in gaining merger approvals, defending criminal cartel investigations, litigating civil antitrust cases, and managing complex international competition matters. In working closely with the U.S. Federal Trade Commission, the Department of Justice Antitrust Division, the European Commission and other international agencies, Mr. Taladay has extensive experience in gaining merger clearances particularly in the technology, media, telecommunications, consumer products, software and pharmaceuticals sectors, and traditional industries including the automotive, airline, primary metals, agriculture, food, chemicals and electronics sectors. Mr. Taladay has been a leader in the development of international competition policy. He serves as Chair of the *Business at OECD* (BIAC) Competition Committee, and as past Chair of the United States Council for International Business Competition Committee. He has been appointed as a Non-Governmental Advisor to the International Competition Network for more than 15 years. He also serves as Co-Chair of the Global Private Litigation Committee of the ABA Antitrust Law Section and as a member of the ICC Commission on Competition.

Sandeep Vaheesan is the legal director at the Open Markets Institute and leads OMI's legal advocacy and research program. From 2015 to 2018, he served as a regulations counsel at the Consumer Financial Protection Bureau, where he helped develop and draft the first comprehensive federal rule on payday, title, and high-cost installment loans. Prior to that, he worked on competition policy issues at the American Antitrust Institute. He has published articles and essays on a variety of topics in antitrust law and anti-monopoly policy. His writing has appeared in the Atlantic, Harvard Law & Policy Review, New York Times, Washington Post, and Yale Law Journal Forum. He has a forthcoming book (working title Democracy in Power) with the University of Chicago Press on the successes and shortcomings of public and cooperative power in the United States.