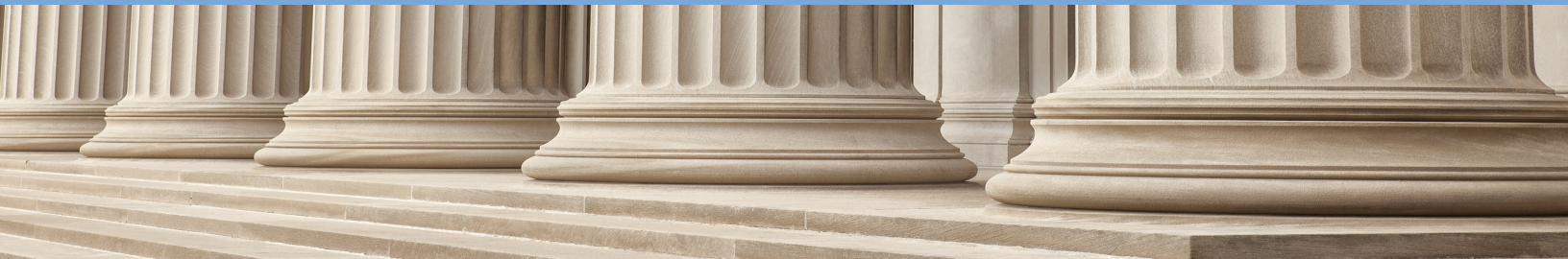




Exceptional service. Dykema delivers.

Antitrust Compliance Programs and Training



Antitrust violations present among the most serious threats to enterprises because of the serious criminal penalties and civil liability for violations. U.S. criminal antitrust enforcement has reached record levels in terms of fines—some crossing the \$100 million mark—and prison sentences for employees involved. The ongoing U.S. Department of Justice investigation into the automotive parts industry, for example, is the largest since the Sherman Act was passed in 1890. That investigation alone has resulted in total fines approaching \$3 billion from more than 30 companies, as well as over 50 executives (many high ranking) pleading guilty or being indicted. In addition to government investigations, civil cases, including class actions, can result in substantial monetary judgments or settlements.

Antitrust violations can be avoided if executives and other key personnel understand antitrust prohibitions, particularly when dealing with competitors in situations such as joint ventures, trade associations, or in other formal or informal settings including supplier meetings. Effective antitrust compliance policies and practices can also be important in mitigating the severity of sanctions should a violation occur. Antitrust enforcement authorities offer degrees of leniency for the self-reporting of violations. Conversely, a company's lack of effective antitrust compliance programs can increase the severity of penalties in some circumstances.

Dykema works closely with companies in a wide range of industries (including manufacturing, retail, financial services, insurance, information technology, healthcare and construction) and with leading trade associations to develop U.S. and global antitrust compliance policies and implement in-person and web-based antitrust training of executives and other personnel involved with sales, pricing or competitor contacts. By thoroughly understanding our clients' businesses and the legal and structural challenges particular to their respective industries, we are able to develop customized and effective programs.

Our training sessions typically provide real-world applications of the law to specific situations faced by our clients, interactive "case study" exercises and open dialog with executives and sales personnel. The topics include: permitted and prohibited interactions with competitors; pricing practices; joint venture structuring and best practices; benchmarking; distribution agreements and policies; best practices in mergers and acquisitions; document creation, retention and preservation best practices; and development and implementation of response plans if violations are detected or if the antitrust enforcement authorities conduct raids or serve subpoenas.

For information about antitrust compliance programs and Dykema's Antitrust and Trade Regulation Group, please contact Howard Iwrey at 248.203.0526 or hiwrey@dykema.com or visit us online at www.dykema.com.

Howard Iwrey
248.203.0526
hiwrey@dykema.com

