

GCR Live: Cartels

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The 2023 edition of GCR Live: Cartels, hosted by Global Competition Review, will bring together esteemed regulators, practitioners, and in-house counsel from across the globe to discuss a range of key developments in cartel enforcement. The conference will include panels on some of the hottest topics in cartel enforcement, including varying jurisdictional approaches to cartel enforcement in labor markets, the potential for criminal monopolization claims in the U.S. as well as more practical discussions of how to approach and develop a cartel case.

9:45 AM - Is No-Poach a Crime or Not? An Examination of Cartel Enforcement in Labor Markets

Cartel enforcement in labor markets continues to be a hot topic. The U.S. Department of Justice (DOJ) continues to make it a top agenda item, despite some recent losses at trial. DOJ's theory of harm that no-poach agreements are a form of market allocation subject to per se analysis has gained some traction in the courts, even if not with juries to date. DOJ has several trials coming up that may change their track record and that could impact how these cases are brought and tried in the future. Further, other jurisdictions are also considering whether to criminalize this conduct, including Canada and Portugal. This panel will discuss what to expect from cartel enforcement in this area, what to look for in the upcoming trials, and how to manage varying jurisdictional approaches to cartel enforcement in labor markets.

Speaker:

- Ann O'Brien

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Attorneys

Ann M. O'Brien

Practice Areas

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