



STATE ENFORCEMENT COMMITTEE NEWSLETTER

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Winter 2014-15

MESSAGE FROM THE CHAIRS

Vic Domen and Tracy Wertz

We are pleased to present the Winter 2014-15 edition of the State Enforcement Committee Newsletter. In addition, we would like to recognize a new vice-chair appointment, Elisabeth Stein, as well as a new council representative, Paula Martucci. Both join the returning vice-chairs Gwendolyn Cooley, Mary Anne Mason, Greg McCurdy, Amy McFarlane, and young lawyer representative Darcy Brosky.

The Committee's 2014-15 programming agenda covers an array of interesting topics. The following programs were held in 2014: Data Breach Prevention, Response and Management (co-sponsored with Media & Technology Committee), held on September 10, 2014; and Vertical Integration in Healthcare, A Cost/Benefit Analysis (co-sponsored with Healthcare & Pharmaceutical Committee, held on September 30, 2014, an overview of which is detailed in this issue.

Upcoming 2015 programs include:

- January 9—Marsh & McLennan 10 Years Later (co-sponsored with the Insurance & Financial Services Committee)
- February 5—Competition Analysis and the Role of State Enforcers in Non-Reportable Healthcare Transactions
- February (date TBD)—Data Security & Privacy: Now What Do We Do? (co-sponsored with the Privacy & Data Security Committee)
- March 19—Can U.S. Warrants Reach Cloud Email Stored Abroad?

In addition, we are excited to announce the following 2015 Spring Meeting programs:

- Briefing with the State Enforcers
- Antitrust and Healthcare: Square Peg in a Round Hole?
- Shifting Sands: Mergers in Changing Markets
- North Carolina Dental: Does Federalism Trump Competition Policy?

The Antitrust Section's State Enforcer Participation Enhancement Grant ("SEPEG") program, administered by the Committee, facilitates active involvement by state enforcers in the Section's activities by covering the cost of the recipient's registration, hotel, and travel expenses to attend the Spring Meeting and one other Section program during a 2-year period. We are fortunate to report that we have nine new grant recipients.

As always, we welcome your ideas on additional programmatic offerings, and encourage each of you to contribute to the Committee's ABA Connect page with news postings, observations, questions or analysis. Finally, we ask that you consider reaching out to encourage possible new members to join.

We appreciate your participation and readership, and wish you a happy 2015.

Vic and Tracy

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A CALL TO ACTION: JANET D. STEIGER FELLOWSHIP PROJECT SEEKS 2015 APPLICANTS

Robert M. Langer, Wiggin and Dana

The mission of the Janet D. Steiger Fellowship Project (“Steiger Fellowship Project”) is to provide law students with the opportunity to work in the consumer protection departments of state and territorial Offices of Attorneys General throughout the United States, as well as consumer protection agencies not affiliated with state attorneys general offices in Connecticut, Georgia and Hawaii.

The Steiger Fellowship Project involves an eight-week paid fellowship that began in 2004 by the ABA Section of Antitrust Law (the “Section”), in cooperation with the National Association of Attorneys General (“NAAG”), as a consumer protection outreach initiative to introduce law students to the rewards of legal careers in public service.

Selected students will serve for a minimum of eight weeks during the summer of 2015 in the consumer protection or consumer affairs offices of locations of participating state and territorial governments. In its first year, the Steiger Fellowship Project placed a total of eight law students. By the end of this summer, the Project will have placed a total of 260 law students in public service positions.

Through this program, the Section seeks to honor the memory of one of America's great public servants, the late Janet D. Steiger, who served with distinction as Chairman of the Federal Trade Commission (“FTC”) from 1989 to 1995. Chairman Steiger was instrumental in elevating the status of consumer protection in this country, while dramatically improving the level of communication, cooperation and coordination between the FTC and NAAG.

Students applying for a Janet D. Steiger Fellowship must download the application available at <http://AmBar.org/Steiger>, and should submit the application and required material to ABASiegerFellowship@americanbar.org. The application period is November 14, 2014 through January 12, 2015. Applications will not be accepted beyond the January 12, 2015 deadline.

Each selected student will receive a \$6,000 stipend for the summer (administered through the various state and territorial agencies and subject to certain federal taxes). Applicants are encouraged to apply for locations near their place of residence. In the event that a Steiger Fellow is not living at home during their fellowship, there is a possibility that an optional travel/housing stipend allowance in an amount yet to be determined may be available. Applicants should not rely upon receiving an allowance in deciding whether to apply for a fellowship.

The participating government office locations for the summer of 2015 are:

1. Montgomery, Alabama
2. Phoenix, Arizona
3. Little Rock, Arkansas
4. Sacramento or San Francisco, California
5. Hartford, Connecticut
6. Wilmington, Delaware
7. Fort Lauderdale, Florida
8. Atlanta, Georgia
9. Honolulu, Hawaii
10. Indianapolis, Indiana
11. Des Moines, Iowa
12. Topeka, Kansas
13. Frankfort, Kentucky
14. Baltimore, Maryland
15. Boston, Massachusetts
16. Lansing, Michigan
17. Jackson, Mississippi
18. Helena, Montana
19. Lincoln, Nebraska
20. Las Vegas, Nevada
- *21. Concord, New Hampshire
22. Newark, New Jersey
23. Santa Fe, New Mexico
24. New York, New York
25. Columbus, Ohio
26. Portland or Salem, Oregon
27. Harrisburg, Pennsylvania
- *#28. San Juan, Puerto Rico
29. Pierre, South Dakota
30. Nashville, Tennessee
31. Austin, Texas
- *32. Salt Lake City, Utah
33. Montpelier, Vermont

34. Richmond, Virginia
35. Seattle, Washington
36. Charleston, West Virginia
37. Madison, Wisconsin
38. Cheyenne, Wyoming

Note: *—*Will only accept 2Ls*, #—*Fluency in Spanish will be required*

We encourage you to reach out to law students who might be interested in an opportunity to explore consumer protection law. Should anyone have questions, please feel free to contact the ABA Section of Antitrust Law via telephone at (312) 988-5606, or via email at ABASiegerFellowship@americanbar.org.



Robert M. Langer is a partner in the Wiggin and Dana's Litigation Department and head of the firm's Antitrust and Consumer Protection Practice Group. Mr. Langer is involved in all aspects of antitrust, consumer protection and trade regulation counseling and litigation, including class actions, representing clients in both federal and state courts, and before the Federal Trade Commission, the Antitrust Division of the United States Department of Justice, as well as offices of state attorneys general throughout the United States. Before joining Wiggin and Dana in 1994, Mr. Langer was the Assistant Attorney General in charge of the Antitrust and Consumer Protection Department of the Office of the Connecticut Attorney General, where for more than twenty years he litigated numerous antitrust and consumer matters in both federal and state trial and appellate courts.