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See

Ernst & Ernst v. Hochfelder , accord, e.g., Tellabs, Inc. v. Makor Issues & ., In re Worlds of Wonder Securities Litigation denied , Loveridge v. Dreagoux .

Id. Schreiber v. Burlington Northern, Inc. , Santa Fe Industries, Inc. v. Green .w , . . , · Id. Id. citing United States v. Oregon , Packard Motor Car Co. v.

Ernst & Ernst

, accord, e.g., Aaron v. Securities and Exchange Commission

Aaron v. SEC Tellabs, Inc. v. Makor Issues & Rights, Ltd. Ernst & Ernst v. Hochfelder Ottman v. Hanger Orthopedic Group, Inc.

SEC v. Monarch Funding Corp.

Compare with

Federal Energy Regulatory Commission, 18 CFR Part 1c: Prohibition of Energy Market Manipulation: Final Rule

Id. Id. accord, id. citing Ernst & Ernst v. Hochfelder . Aaron v. SEC

Id.

Commission Takes Preliminary Action in Two
Major Market Manipulation Cases

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Id.

Id., citing Dennis v. United States

Id.

Id. citing United States v. Persky , Todd & Co. v. SEC

Id.

IV. Particular Questions For Commenters

A. Defining Market Manipulation

Market manipulation shall mean

Market manipulation shall mean knowingly using or employing, directly or indirectly, a manipulative or deceptive device or contrivance —

all other transactions and

practices, irrespective of their legality under the antitrust laws, that tend to increase prices relative to costs and to reduce output. Id.

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