

1. This submission is in two parts, the first describing the training programs of the United States Department of Justice, Antitrust Division, and the second the training programs of the Federal Trade Commission.

US Department of Justice, Antitrust Division

I. Establishment of the Training Program: Structure, Organization & Features

2. In 1993, the Antitrust Division of the Department of Justice established an in-house training program to focus on professional competencies most critical to antitrust legal and economic staffs. Investigative and litigation skills, such as interviewing, deposition practice, and courtroom skills; seminars addressing substantive legal and economic topics; and timely programs on international issues, working with expert witnesses, and federal practice and procedures, are among the most popular courses. The Training Program was initially organized on an experimental basis as a six month effort. Eight years later, the Program is part of the Office of Operations, overseen by the Director of Operations, managed on a daily basis by a Special Counsel for Professional Development and a Training Program Assistant. The Training Office calls upon the expertise of many professionals throughout the Antitrust Division for advice, development, and presentation of programs.

A. Central Functions of the Training Program

3. The formal Training Program has three main features.

1. In-House Programs:

4. The in-house programs, written and taught by Antitrust Division professionals, are the heart of our internal training efforts. These programs may be multi-day conferences such as the Senior Civil Litigator's Conference or th.9(e)-0d7.7(i)-32(l)6 TD 1u(es, 5()-11.9S0d7.7(imi(f)-2.4aes, 5(;9(of)]TJ n0d7.7(i.1(y

2. *Outside Programs*

6. The Antitrust Division also sends Division employees to outside training programs targeted to our internal professional development needs. The Office of Legal Education (OLE) in Columbia, South Carolina is the Department of Justice's Executive Office for US Attorneys Training Center. OLE has a state-of-the art facility to which they bring Department of Justice personnel from around the country to teach many courses each year. OLE's course offerings include trial practice, legal ethics, legal writing, management courses and many others. The National Institute of Trial Advocacy (NITA), a private training organization focusing on trial skills and deposition practice, offers high quality interactive programs for attorneys. Courses sponsored by the American Bar Association, State and local Bar Associations, and other private training groups are also good sources of specialized training in discrete areas of study. For

understanding; basic application; and advanced application. The competencies and levels of learning are “benchmarked” for achievement within the attorney’s first six years at the Antitrust Division. The competencies are highly detailed and comprehensive in terms of Division practice areas: merger, civil non-merger, criminal, and other specialized areas such as administrative or appellate assignments. The IADP also contains a menu of suggested teaching/learning approaches such as courses, individual learning resources, or on-the-job training regarding how the attorney can acquire the competencies. Junior attorneys are encouraged to identify professional development objectives every six months, based on the competencies most applicable to their individual assignments, strengths, and weaknesses.

B. Training Opportunities for Experienced Attorneys

11. More experienced attorneys not covered by the IADP have a number of professional development opportunities open to them. Writing, teaching, and attending our in-house seminars are excellent learning experiences; fellowship opportunities such as the Victor Kramer Fellowship where an

19. There are also more formal training initiatives to address topics of interest in more depth. For instance, in recent years we have offered training in litigation support and economic expert testimony. A summer workshop on modern industrial organization will begin this year, and courses in econometrics and statistical techniques may also be offered in the future. Many economists and research assistants also take advantage of agency provided technical training on computer-related issues and statistical software.

Appendix 1 Antitrust Division Training Program
Calendar of Programs - 1999

<p>January 12, 1999 Noon-2:00pm</p>	<p>Brown Bag: Exclusionary Vertical Agreements All in the Division are welcome. Doug Melamed, Principal Deputy Assistant Attorney General Washington, DC EAG Conference Room 10205 BICN</p>
<p>January 14, 1999 Noon-2:00pm</p>	<p>Brown Bag: First Year Attorneys and Economists Connie Robinson, Director of Operations and Merger Enforcement Washington, DC Operations Conference Room 10000 PAT</p>
<p>January 21, 1999 9:30-11:30am</p>	<p>Protecting Your Testifying Expert: Case Law, Practice and Procedure. All in the Division are welcome. David Malone of Venable, Baetjer, Howard & Civiletti Washington, DC EAG Conference Room 10-205 BICN</p>
<p>January 28, 1999 Noon-2pm</p>	<p>Brown Bag: First Year Attorneys and Economists Connie Robinson, Director of Operations and Merger Enforcement Washington, DC Merger Task Force Conference Room 4620 CCB</p>
<p>February 4, 1999 9:30-11:30am</p>	<p>Protecting Your Testifying Expert: Case Law, Practice and Procedure All in the Division are welcome. David Malone of Venable, Baetjer, Howard & Civiletti Washington, DC EAG Conference Room 10-205 BICN</p>
<p>February 11, 1999 Noon-2:00pm</p>	<p>Monthly Group Meeting: Making & Meeting Objections First Year Attorneys and Economists Tom Horton, Trial Attorney, Litigation II Section Washington, DC Lit II Conference Room 3106 CCB</p>
<p>March 18 & 19, 1999 9:30-11:00am</p>	<p>Fundamentals of Antitrust Analysis: An Introduction to Case Law, Policy and Economics Thomas Krattenmaker Washington, DC EAG Conference Room 10-205 BICN</p>
<p>April 1, 1999 Noon-2:00pm</p>	<p>Brown Bag: Contacts With Represented Parties and Other Possible Issues: The McDade Amendment. All in the Division are welcome. John Powers, Appellate Section Howard Blumenthal, Legal Policy Section Washington, DC Lit II Conference Room 3106 CCB</p>
<p>April 12, 1999 2:00-4:00pm</p>	<p>Presentation to Field Offices by Teleconference Section 530(B) Law John Orr, John Powers & Howard Blumenthal live to answer questions on the new law regarding Federal, State & Local Rules of Ethics</p>
<p>May 11, 1999 9:30am-Noon</p>	

- May 13, 1999
6:00pm-8:00pm
- Videotape Presentation of Section 530(B) Law
John Orr, John Powers & Howard Blumenthal live to answer questions on the new law regarding Federal, State & Local Rules of Ethics.
Washington, DC MTF Conference Room 4620 CCB
- May 18, 1999:30am-Noon
- 4th Annual Lew Bernstein Memorial Lecture
Steve Calkins, Professor of Law, Wayne State University
Hogan & Hartson, Ground Floor Courtroom
Columbia Square, 555 13th St. NW
Washington, DC
- May 25 & 26, 1999:00am
- 5:00pm
- Videotape Presentation of Section 530(B) Law
John Orr, John Powers & Howard Blumenthal live to answer questions on the new law regarding Federal, State & Local Rules of Ethics.
Washington, DC CTF Conference Room 335 LPB
- June 1, 1999:30am-Noon
- Two-Day Deposition Practice Course
NITA-Style - used a fact pattern from the Long Island Jewish Hospital Merger Trial
Washington, DC Lit II Conference Room 3106 CCB
- June 10, 1999:00-4:00pm
- Videotape Presentation of Section 530(B) Law
John Orr, John Powers & Howard Blumenthal live to answer questions on the new law regarding Federal, State & Local Rules of Ethics.
Washington, DC CTF Conference Room 335 LPB
- June 22, 1999:Noon-2pm
- Videotape Presentation of Section 530(B) Law
John Orr, John Powers & Howard Blumenthal live to answer questions on the new law regarding Federal, State & Local Rules of Ethics.
Washington, DC AAG Conference Room 3109 Main
- June 28, 1999:00-3:00pm
- Government and Private Law Practice:
Reflections of a Lawyer Who Has Represented Both Sides
Mel Schwarz, Senior Counsel for Civil Enforcement
Washington, DC EAG Conference Room 10205 BICN
- July 15, 1999:12:15pm-1pm
- Videotape Presentation of Section 530(B) Law
John Orr, John Powers & Howard Blumenthal live to answer questions on the new law regarding Federal, State & Local Rules of Ethics.
Washington, DC TEA Conference Room 556 LPB
- October 14, 1999
10:15am-12:30pm
- Monthly Group Meeting: First Year Attorneys & Economists
Meeting with Joel Klein, AAG
Follow-up to Meeting of December, 1998
Washington, DC AAG Conference Room, 3109 Main
- October 28, 1999
Noon-1:30pm
- Consent Decree Modification and Termination:
Current Issues and Possible Strategies
Nancy has considerable experience with the many stages of Division Consent Decrees, in particular the A.T. & T. decree on which she presented most of the appellate arguments. She addressed current trends and issues.

Appendix 2
Antitrust Division Training Program
Calendar of Programs - 2000

February 10, 2000
Noon-2pm

Making and Meeting Objections at Trial
Tom Horton, Senior Attorneys, Litigation II
Washington, DC 4620 CCB Lit II Conference Room

March 29, 2000
9am-5pm

Best Practices with Expert Witnesses
Tom Horton and Andy Dick

April 11, 2000
Noon-2pm

Opening Statements and Other Presentations
Angela Hughes and John Read
Opening statements and other types of presentations that attorneys are frequently asked to make outside the courtroom.
Washington, DC TEA Conference Room, 5th Floor LPB
A videotape of this program is available in the Training Office.

May 16-18, 2000
9am-5pm

Senior Criminal Litigator's and Criminal Chief's Conference
Atlanta, Georgia
This Year's Conference is being hosted by the Atlanta Field Office

May 23, 2000
6-9pm

5th Annual Lewis Bernstein Memorial Lecture
"Challenges to Antitrust Enforcement in the Next Century"
Assistant Attorney General Joel Klein
Thomas Kauper, AAG, Antitrust Division (1972-1976)
Arnold & Porter, 555 12th St., N.W., Washington, DC
5:30pm Light refreshments, Rooftop Patio
6:00pm Program, Paul Porter Conference Room, 10th Floor
Joel Klein gave a speech on a similar subject at the same time and place on May 9, 2000.

June 14, 2000
10am - Noon

July 20, 2000
9:30am - 11am

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September 19-21, 2000
9am-5pm

Deposition Practice and Trial Skills Seminar
Tom Horton, Attorney, Litigation II
Deposition techniques and practice will be covered on the 19th, a mock trial will be conducted on the 20th and 21st, using the skills learned in the deposition portion of the seminar.
Litigation II Conference Room, 3000 CCB

September 28, 2000
9am-5pm

Corporate Governance
Cindy Alexander, Economist, EAG

October 4, 2000
9am-5pm

October 25, 2000
9am-5pm

October 25, 2000
Noon-1:30pm

November 1, 2000
Noon-1:30pm

November 9, 2000
Noon-1:30pm

November 28 & 29, 2000
9am-5pm

December 7, 2000
Noon-3pm

Appendix 3
Antitrust Division Training Program
Calendar of Programs- 2001

January 8, 2001
Noon-2pm

January 10, 2001
Noon-2pm

February 15, 2001
Noon-2pm

February 21, 2001
9:30-10:30am

March 1, 2001

Appendix 4
 Antitrust Division - Economic Analysis Group
 2001 Seminar Schedule

Date Speaker Title

March 15	Bernie Black	Does Corporate Governance Matter? A Crude Test Using Russian Data	Stanford Law School
April 5	Joe Farrell	Scale Economies and Synergies in Horizontal Merger Analysis (with Carl Shapiro)	EAG / Berkeley
April 17	Mark Roberts	Sunk Costs and Firm Diversification: A Model of Entry and Exit in Export Structural Model (with S. Das and J. Tybout)	Penn State
April 24	Mary Sullivan	The Effect of the Big Eight Accounting Firm Mergers on the Market for Audit Services	EAG
May 3	Chuck Romeo	Do Newspaper JOAs Charge Monopoly Advertising Rates? (with Russ Pittman and Norm Familant)	EAG
May 8	Gerald Faulhaber	Network Effects and Merger Analysis: Instant Messaging and the AOL-Time Warner Case	Wharton/FCC
May 10	Wally Mullin	Rules, Communication and Collusion: Evidence from the Sugar Institute Case (with David Genesove)	MIT / Michigan State
May 15	David Sappington FCC	Incentives for Sabotage in Vertically Related Industries (with David Mandy)	U. of Florida /
May 22	Keith Hylton	Antitrust Intent Boston U. Law School (with Ron Cass)	

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May 30 Steve Klepper Entry by Spinoffs
Carnegie Mellon (with Sally Sleeper)

Sept. 19 Judy Chevalier Why Don't Prices Rise During Peak U. of Chicago
Demand? Evidence from Scanner Data
(with Anil Kashyap and Peter Rossi)

Appendix 5
FTC Core Program Courses

DEPOSITION TRAINING

Description: This course is three days long, with two days spent primarily taking and critiquing practice depositions.

Topics include:

- Preparation of deposition notices (including subpoenas to non-parties under Fed. R. Civ. P. 45 and duces tecum notices)
- How to prepare yourself for a deposition
- How to prepare a witness for a deposition
- Effective use of documents in preparing for and taking a deposition
- How to take a deposition
- How depositions fit into the discovery process
- Dealing with a friendly witness
- Dealing with a hostile witness
- Dealing with a "forgetful" witness
- Differences in dealing with sophisticated and unsophisticated witnesses
- Dealing with obstreperous counsel
- Development of admissions in deposition testimony
- Defending depositions, including own witnesses to be deposed
- Use of depositions in the litigation process, including for discovery, for dispositive motions, for impeachment at trial, and in lieu of live testimony at trial

DISCOVERY TRAINING

Description:

A two-day course on discovery techniques designed to help attorneys become more familiar with the discovery process, the different discovery methods that are available under the rules, and when and how to use each method.

Topics include:

- Overview of the discovery process
- Interrogatories
- Requests for production of documents
- Requests for admissions
- Depositions (overview only; note separate course on deposition skills)
- Tips on designing an overall discovery strategy
- Privileges
- Responding to your opponent's discovery

MOTION PRACTICE

Description:

This two-day course in motion practice introduces inexperienced attorneys to the different forms of motions practice, focusing on oral argument and strategy. The course covers informal motions practice up to highly structured motions advocacy and uses scenarios typical to FTC consumer protection and antitrust practice.

Topics include:

- Motion practice strategy
- Pretrial motions, e.g., motions in limine, motions to strike affirmative defenses or requests for jury demand
- Motions for Summary Judgment
- Organizing a persuasive argument

BASIC TRIAL ADVOCACY TRAINING

Description:

This is a five-day course in basic trial advocacy. The course is directed to both new and experienced attorneys who have limited trial experience. The course covers the general skills necessary for trial, especially as they relate to the consumer protection and antitrust missions of the Federal Trade Commission.

Topics include:

Direct and cross examination
Exhibits and demonstrative evidence
Opening statements and closing arguments
Impeachment

LEGAL WRITING

Description:

This one-day program enables participants to draft various specialized legal reports and documents which are powerful, persuasive, and free of mechanical errors. Instruction is provided by experienced attorneys who combine lectures with discussion, writing practice, and peer editing in an informal workshop format. Materials and situations used in the program are drawn from Commission work, when practical.

FEDERAL RULES OF CIVIL PROCEDURE

Description:

An explanation and analysis of the December 1, 2000 amendments to the Federal Rules of Civil Procedure. This course is intended for anyone who does or may litigate in federal court.

Appendix 6
Federal Trade Commission
Economic Seminar Series Speakers
Winter/Spring 2001

DATE	SPEAKER/TITLE	HOST
Feb 15	Meghan Busse (Yale University) "Firm Financial Condition and Airline Price Wars"	E.Friedman
Feb 22	Peter Cramton (University of Maryland) "The Optimality of Being Efficient"	J.Schrag
Mar 1	Ginger Jin (University of Maryland) "The Effects of Disclosure Regulation: Evidence from Restaurants"	D.Hosken
Mar 8	Alan Sorensen (University of California, San Diego) "Price Dispersion and Heterogeneous Consumer Search for Retail Prescription Drugs"	H.Hadeshi
Mar 15	Peter Zorn and Paul Raca (Freddie Mac) "Subprime Lending: An Investigation of Economic Efficiency"	J.Pappalardo
Mar 22	Koleman Strumpf (University of North Carolina) "The Behavioral Dynamics of Youth Smoking"	J.Mulholland
Apr 5	Dan Levin (Ohio State University) "Joint Bidding in Multiple-Units Uniform Price Auctions: Adverse Selection Reduction and Demand Reduction"	A.Thompson

Apr 12	George Deltas (University of Illinois) "TBA"	
Apr 20	Simon Anderson (University of Virginia) "Advertising and the Media"	C.Thomas
May 3	Lanier Benkard (Stanford University) "TBA"	A.Wickelgren
May 10	Shane Greenstein (J.L. Kellogg Graduate School of Management) "Contracting for Internet Access"	D.Balan
May 17	Caroline Hoxby (Harvard University) "Peer Effects in the Classroom: Learning from Race and Gender Variation"	M.Vita