

MEMORANDUM 2024-13
Antitrust Law: Status Report

This memorandum provides an update on the status of the Commission's study of antitrust law.¹ The latest developments are described below.

As the Commission knows, the staff recruited experts to assist the Commission in the study. Those experts were formed into seven working groups as follows:

- Group 1. Single Firm Conduct
- Group 2. Mergers and Acquisitions
- Group 3. Concerted Action
- Group 4. Consumer Welfare Standard
- Group 5. Technology Platforms
- Group 6. Enforcement and Exemptions
- Group 7. Concentration in California

The scope of the groups' work is described in [Memorandum 2023-16](#). The staff has received final reports from each working group. To facilitate public review of the expert reports, the staff is posting all seven expert reports on the Commission's Antitrust Study webpage, which can be found [here](#). The reports will be considered by the Commission over the course of several meetings, as indicated below. In advance of each meeting, the staff will prepare and circulate memoranda with the relevant expert reports attached. It is possible that working groups may wish to submit additional materials as the study continues. Any additional materials will be provided to the Commission and made available to the public.

Please see the following schedule of when the expert reports will be on the Commission's meeting agendas. The staff has confirmed that representatives of the groups are available to make presentations on those dates.

¹ Any California Law Revision Commission document referred to in this memorandum can be obtained from the Commission. Recent materials can be downloaded from the Commission's website (www.clrc.ca.gov). Other materials can be obtained by contacting the Commission's staff, through the website or otherwise. The Commission welcomes written comments at any time during its study process.

Any comments received will be a part of the public record and may be considered at a public meeting. However, comments that are received less than five business days prior to a Commission meeting may be presented without staff analysis.

- May 2, 2024: Single Firm Conduct (Group 1) & Concentration in California (Group 7).
- June 20, 2024: Mergers and Acquisitions (Group 2) & Technology Platforms (Group 5).
- August 15, 2024: Concerted Action (Group 3), Consumer Welfare Standard (Group 4), & Enforcement and Exemptions (Group 6).

The staff is extremely grateful for the invaluable assistance that these experts have provided. The reports that they prepared for the Commission will establish a critical foundation for the Commission's deliberations.

In addition, the staff is looking into the possibility of scheduling a few invited speakers to provide comments on the expert reports presented at each meeting seeking to provide a balance of different perspectives. The staff will provide additional information to the Commission on invited speakers for the May 2, 2024, meeting in a supplement to this memorandum.

Finally, the staff has received public comments that will be provided to the Commission in a separate supplement to this memorandum.

Respectfully submitted,

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Executive Director