



**Antonin Scalia Law School at George Mason University
Master of Laws (LLM)**

**Syllabus
Antitrust I: Principles/Law 156
Spring 2024**

Credit Hours	3 Semester Hours
Instructor(s)	<p>John M. Yun, Professor of Law, Deputy Executive Director, Global Antitrust Institute, and former Acting Deputy Assistant Director in the Bureau of Economics, United States Federal Trade Commission</p> <p>Hon. Douglas H. Ginsburg, Professor of Law and Senior Circuit Judge, United States Court of Appeals for the District of Columbia Circuit</p> <p>Bruce H. Kobayashi, Professor of Law, Paige V. and Henry N. Butler Chair in Law and Economics, and former Director in the Bureau of Economics, United States Federal Trade Commission</p> <p>Daniel Lynch, Adjunct Professor, Antonin Scalia Law School, and Legal Assistant, Consumer Protection Division, Office of the Tennessee Attorney General.</p>
Office Hours (by phone or online)	By appointment, with at least 48 hours advance notice via email.
Email	Use Blackboard Learn Course Email tool or email me at: dlynch6@gmu.edu Emails will be answered within 2 business days.
Course Delivery Format	This is an online-only course delivered via the Blackboard learning management system.
Course Clock	This course will use Eastern Time Zone for all scheduled due dates.

COURSE DESCRIPTION

This course examines the laws that protect consumers by ensuring competition in the marketplace. Specific topics include agreements among competitors, joint ventures, mergers, and monopolization. We will examine Supreme Court doctrine, influential modern lower court decisions, and government enforcement guidelines. Economic concepts and thinking characteristic of modern antitrust analysis are integrated throughout the course. However, no background in economics is necessary or assumed.

COURSE OBJECTIVES

Upon completion of this course, students should be able to:

- Explain the jurisdiction and purposes of the FTC and DOJ
- Understand and apply basic economic concepts and principles underlying antitrust enforcement
- Understand the relevant statutory framework, case law, economic principles, and antitrust analysis of horizontal and vertical mergers
- Understand the relevant statutory framework, case law, economic principles, and antitrust analysis of horizontal agreements between competitors
- Understand the relevant statutory framework, case law, economic principles, and antitrust analysis of vertical agreements and unilateral conduct

REQUIRED TEXTS AND OTHER MATERIALS

Textbook: Andrew I. Gavil, William E. Kovacic, Jonathan B. Baker, and Joshua D. Wright, *Antitrust Law in Perspective: Cases, Concepts and Problems in Competition Policy* (West 2016) (3rd Edition). ISBN: 978-0-314-26605-7

Supplemental cases and materials are listed with the readings, and will be linked to the proper authority. Any additional readings not listed in Blackboard will be distributed via email.

COURSE STRUCTURE

This course is organized into 5 learning modules, which are accessible via the Course Menu. Each module spans 1 to 3 weeks and includes anywhere from 2 to 11 topics. Students should expect 1-5 assignments and 1-16 discussions per module, each requiring roughly one hour of work.

ACCESS, NAVIGATION, AND SUPPORT

Student Technical Support

- **Phone:** 1-800-472-8899
- **Email:** support@lawstudentonline.com

COMMUNICATION

Preferred Communication Method

The best way to contact your professors is via email. All emails should be directed to dlynch6@gmu.edu. Students should provide:

- A detailed description of the questions
- An attempted answer
- A demonstration of the students reasoning

Netiquette

Netiquette consists of the rules and guidelines for acceptable behavior in electronic communication. Remember, while working in an online course you are in an academic setting and should conduct yourself accordingly.

All students are expected to follow netiquette guidelines as outlined below:

- Express yourself with proper spelling, grammar, and punctuation.
- Keep your communications as clear, straightforward, and concise as possible.
- Always review your communications before posting.
- Be constructive, courteous, and respectful of diverse opinions.
- Respect other people's privacy. Do not share others' personal information (e.g., e-mail addresses, phone numbers, etc.) without permission.
- It's fine to disagree with, or critique others' ideas, but personal or ad hominem attacks are not acceptable.
- Follow copyright laws and cite others' work appropriately.
- **Limitations on use of Generative Artificial Intelligence (GAI) in Academic Work**

AR 4-3: (a) Definition: Generative artificial intelligence (GAI) is a type of artificial intelligence that uses algorithms to generate new content, such as text or images, based on the data it has been trained on. For purposes of this regulation, GAI is not intended to encompass legal research databases and word processing applications that, while incorporating AI-based elements or enhancements, do not generate novel text. (b) Papers and coursework: The use of GAI in drafting or writing coursework, including papers and reaction papers, is prohibited unless expressly identified in writing by the instructor as an appropriate resource for the work in the instructor's course. (c) Examinations: The use of GAI in preparing to write or writing exam answers is prohibited unless expressly identified in writing by the instructor as an appropriate resource for the exam in the instructor's course. (d) Instructors permitting the use of GAI outputs shall specify in writing the course parameters of allowable use and disclosure expectations. Instructors may require students to disclose the GAI outputs relied upon, and further show exactly how and where those outputs were used in the academic work. (e) If not expressly identified as permissible in writing by the instructor, any use of GAI will be considered academic dishonesty involving

cheating in violation of Section 1.01.1 and/or 1.01.5 of the Honor Code, and violators may be subject to the disciplinary sanctions set forth in Section 3.01 of the Honor Code. Law School instructors and administrators reserve the right to use AI detection software to find instances of GAI in student submissions.

Response Time

I typically respond to emails within 48 hours. If you do not receive a reply to your email within a reasonable period of time, please send it again. Sometimes email is captured in SPAM filters, is addressed incorrectly, or just simply does not get sent.

Class Assignments will be graded in a reasonable amount of time after the due date.

Instructor Expectations

- Students are expected to keep up with the class, to read the required readings, to watch the required recordings, and to submit assignments and activities by the due dates specified in the Course Schedule.
- Students should log on to Blackboard often to check for announcements and updates.
- Students are expected to independently complete all activities, assignments, tests, and the final exam.
- To receive maximum points, students need to follow all instructions carefully, and adhere to formatting requirements.
- To pass the course, students must complete all required assignments and the final exam.

ATTENDANCE POLICY

This course is delivered asynchronously to accommodate students' other life obligations. Students must access each lecture for an appropriate amount of time, participate substantively in the Discussion Boards, and submit all assignments.

PARTICIPATION

When participating on the Discussion Board, students should have read and thought about the material and be ready to participate in a critical discussion.

EXAMINATION POLICY

www.law.gmu.edu/records/exams_policies

The exam will be open book, open note, and open material. Exams submitted outside the permitted time frame without a pre-approved extension will not be accepted.

COURSE SCHEDULE

The Course Schedule, located on the Blackboard Learn Course Menu, provides due dates for all activities in this course.

GRADING POLICY

The Final Exam will account for 90% of your grade, with the other 10% being comprised of all other class assignments. The specific grade breakdown is located in the table below. Final grades will also be subject to a discretionary class participation adjustment of 1/3 of a grade in either direction.

Discussion Board Posts:

The Discussion Boards are related to readings and lectures. Upon completion or near completion of the assigned readings and lectures, you are expected to engage in an ongoing discussion with your learning community peers. Your contributions to the discussion will be graded for quality not quantity, timeliness of your contributions, and a detailed analysis linking together theory (readings and lecture) to application (activities and assignments). You should expect to spend at least an hour in the Discussion Board for each question. You will be asked to respond to the question and then respond to at least one of your classmates. Contributions to the Discussion Board will be assessed to assure that your post is (1) timely; and (2) reflects effort and knowledge. Successful participation in Discussion Board Posts will count for 5% of your final grade.

Lectures:

Lectures will be posted to the Blackboard website and will review and expand upon the readings assigned for that day. Students should watch the lectures as many times as they need in order to understand the material. In order to get the most out of the lecture, students should complete the assigned reading prior to watching the lecture.

Readings:

The readings assigned for each class cover, in detail, the topics and cases that will be discussed in the corresponding lecture. Students should complete the reading prior to watching the lecture. Supplemental readings (readings other than the textbook) are required readings.

Assignments:

Assignments are related to readings and lectures. Assignments will require students to think critically about the topics discussed and apply law and theory to various factual scenarios. Assignments will be a good primer for the essay portion of the final exam. Assignments will be graded for accuracy, depth of discussion, and timeliness of submission. Length is not necessarily correlated with depth of discussion. Students should expect to spend one hour per assignment. Successful participation in Assignments) will count for 5% of your final grade.

Exam:

The exam will cover all topics covered through the readings, lectures, assignments, and discussions. The exam will include both multiple choice and essay questions. Essay questions will be graded for accuracy, depth of discussion, and analytical ability. Students choose a 3-hour period of time to take the exam during the exam timeframe listed on the Course Schedule.

This course follows the grading scale and grading policies outlined in the Academic Standards policy: www.law.gmu.edu/academics/regulations

- Students are expected to submit Assignments and Discussion Board Posts on time. Late assignments submitted within 12 hours of the deadline will be penalized 20%. Late assignments submitted between 12 and 24 hours of the deadline will be penalized 30%. No assignments will be accepted beyond 24 hours of the deadline.
- Deadlines will be extended only when granted BEFORE the assignment is due.
- Deductions will occur when directions are not followed.
- Exams submitted late (but within 30 minutes of the deadline) will be assessed a penalty of a letter grade. Exams submitted more than 30 minutes late will not be accepted.
- Work may be made up only when an extension was granted before the deadline.
- There is no provision in this course for extra credit.
- Feedback on assignments will be given no later than two weeks after the assignment is submitted.
- Exams can be reviewed upon appointment.

Assignment Name	Points	Percentage
Discussion Board Posts	5	5%
Assignments	5	5%
Exam	90	90%
Total	100	100%

UNIVERSITY POLICIES AND PROCEDURES

All University policies and procedures can be found at:

www.law.gmu.edu/academics/regulations

At this link you will find the following:

- Academic standards and policies
- Learning outcomes
- Degree requirements
- Structure of the required curriculum

Honor Code:

www.law.gmu.edu/academics/honor_code

Course Withdrawal Form:

www.law.gmu.edu/assets/files/records/course_withdrawal_form.pdf

RESOURCES FOR STUDENTS

www.law.gmu.edu/students/