

NEW YORK
CITY BAR

The 50th Anniversary Milton Handler Lecture on Antitrust

Thursday, May 25, 2023 | 6:30 pm - 8:00 pm
Reception to Follow



Milton Handler
(1903-1998)

The Milton Handler Lectures: A Living Tribute to an Antitrust Legend

Today we celebrate the 50th Anniversary of the Milton Handler Lectures, which were established by the Executive Committee of the New York City Bar Association on January 3, 1973. The Lectures are devoted to developments in the law of antitrust, and are presented by leading antitrust scholars, practitioners, and government officials.

Milton Handler, among his many accomplishments, taught at Columbia Law School for nearly half a century, and was the author of a casebook on Trade Regulation which for decades was the premier text used to teach antitrust to law students.

Professor Handler's career as an antitrust lawyer – first as a public servant and then in private practice – was legendary. In the 1930s, he served as President Franklin D. Roosevelt's chief adviser on antitrust matters. In 1937, he helped create the Temporary National Economic Committee, and wrote a summary of antitrust law for the TNEC which, in the words of the New York Times, "has since become part of the legal canon." Beyond antitrust, Milton Handler served as the first general counsel to the National Labor Relations Board and helped draft such landmark statutes as the Federal Food, Drug and Cosmetic Act of 1938, the National Labor Relations Act, and the G.I. Bill of Rights.

In the 1950s and 1960s, Prof. Handler developed one of the most successful private antitrust practices in the country at Kaye, Scholer, Fierman, Hays & Handler, which is now part of Arnold & Porter Kaye Scholer LLP. As an antitrust counselor and litigator, he represented clients such as Xerox, PepsiCo, American Tobacco, and Texaco; and spearheaded price-fixing claims against electrical equipment manufacturers brought by over 50 investor-owned electric utilities. In 1998, Prof. Handler received the John Sherman Award from the Antitrust Division of the U.S. Department of Justice – in a ceremony attended by four Justices of the Supreme Court.

Starting in the 1950s, Prof. Handler gave annual lectures at the New York City Bar Association on antitrust developments which often focused on the past year's Supreme Court decisions, and which were preserved in a two-volume edition entitled Twenty-Five Years of Antitrust. Subsequently, many of the annual lectures were given by Prof. Handler's law firm partners; those later lectures are collected in a three-volume set entitled Antitrust in Transition.

In 1973, Prof. Handler and the NYCBA began a new tradition: The Milton Handler Lectures.¹ For their first 50 years, the Lectures have been made possible by a generous endowment fund established by Handler himself. That endowment is now further supported by generous grants from the Milton and Miriam Handler Foundation, and Arnold & Porter Kaye Scholer LLP.

1. Also, in 1987, under the aegis of his endowed lectureship, Prof. Handler organized a symposium entitled Antitrust's Centennial, the proceedings of which are reflected in articles published in 75 Calif. L. Rev. (1987) and 9 Cardozo L. Rev. (1988).

Program

Greeting:

Yee Wah Chin, *Chair*
Antitrust & Trade Regulation Committee

Acknowledgements and Introduction of Moderator:

Craig Brown, *Co-Chair*
David Copeland, *Co-Chair*
Handler Lecture Subcommittee

Introduction of Keynote Speaker:

Daniel Francis
Assistant Professor of Law
New York University School of Law

Keynote Speaker:

Timothy Wu
Julius Silver Professor of Law, Science and Technology
Columbia University School of Law

Panel Discussion:

Daniel Francis, *Moderator*

Debbie Feinstein, *Head of Global Antitrust*
Arnold & Porter Kaye Scholer, LLP

Kellie Lerner, *Co-Chair, Antitrust Practice Group*
Robins, Kaplan, LLP

Sharon Robertson
Cohen Milstein Sellers & Toll, PLLC

Ian Conner
Latham & Watkins, LLP

Closing:

Yee Wah Chin

Reception:

Sponsored by Arnold & Porter Kaye Scholer LLP.

Milton Handler Lecture Presenters

- 2022 Assistant Attorney General Jonathan Kanter, Antitrust, U.S. Department of Justice
- 2019 Einer Elhauge, Carroll and Milton Petrie Professor of Law, Harvard Law School “Horizontal Shareholding”
- 2018 Hon. Katherine B. Forrest, S.D.N.Y. “Big Data, Exclusionary Behavior and Economic Efficiency”
- 2014 Joshua D. Wright, Commissioner, Federal Trade Commission “Antitrust in the 21st Century”
- 2012 Professor Herbert Hovenkamp, Ben and Dorothy Willie Chair, The University of Iowa College of Law “Innovation and Antitrust”
- 2011 Mark A. Lemley, William H. Neukom Professor of Law, Stanford Law School
- 2010 C. Scott Hemphill, Professor of Law and Milton Handler Fellow, Columbia Law School
- 2006 Dale Collins; David I. Meyer; Dr. Janusz A. Ordover; J. Thomas Rosch
- 2005 Dale Collins; Hon. Lewis A. Kaplan; Deborah A. Garza; William E. Kovacic
- 2004 Dale Collins; Hon. John D. Bates; Thomas O. Barnett; William E. Kovacic; John D. Harkrider; Margaret Guerin-Calvert
- 2002 Judge Frank H. Easterbrook; Timothy J. Muris; R. Hewitt Pate; Stephen M. Axinn
- 2001 Deborah P. Herman; Thomas B. Leary; Michael H. Byowitz; Jonathan M. Jacobson “Significant Developments in Antitrust Practice and Jurisprudence over the Last Year”
- 1999 Richard G. Parker; Constance K. Robinson; Richard M. Steuer “Developments in Anti-Trust Law”
- 1993 Eleanor M. Fox, Walter J. Derenberg Professor of Trade Regulation, New York University Law School “Antitrust, Trade and the 21st Century—Rounding the Circle”
- 1990 Robert Pitofsky, Georgetown Law Center “Antitrust’s Renaissance”
- 1989 Phillip Areeda, Harvard Law School, Herbert Hovenkamp “Antitrust’s Protected Classes”
- 1987 Phillip Areeda, Harvard Law School “Anticipating Antitrust’s Centennial—Session 2”
- 1986 Phillip Areeda, Harvard Law School “Anticipating Antitrust’s Centennial—Session 1”
- 1985 Phillip Areeda, Harvard Law School “Stalking the Rule of Reason”
- 1984 Hon. John J. Gibbons “The Antitrust Jurisprudence of the Third Circuit”
- 1982 Earl E. Pollock “Antitrust at the Circuit Court of Appeals Level —The Antitrust Jurisprudence of the Seventh Circuit”
- 1981 Michael Malina “The Antitrust Jurisprudence of the Second Circuit”
- 1977 Arlin M. Adams “Justice John Marshall Harlan and the Antitrust Laws”
- 1975 Donald F. Turner, Harvard Law School “The Scope of ‘Attempt to Monopolize’”