

## **ECON 4200: Antitrust Policy, Fall 2024**

Tuesdays, 4:00 p.m.-6:30 p.m.  
Cabell Hall 168

**Instructor:** Anthony Swisher  
**Office Location:** TBD  
**Office Hours:** By appointment

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*Please* feel free to e-mail me, text me, or call my mobile at any time with questions. If I can't talk when you call, we can arrange a convenient time.

### **Goals of the Course**

The goals of the course are to provide an understanding of the federal antitrust laws, how they incorporate economic theory, and how they are enforced through federal government enforcement and private litigation. We will examine federal antitrust statutes passed by Congress and read cases in which they have been interpreted by the federal courts. We will see how the evolution of economic thinking has influenced the interpretation of the antitrust laws by the courts and the enforcement decisions of the federal antitrust enforcement agencies. The course will also train students to think clearly and to explain their thoughts before others. I will teach the course primarily using the Socratic Method, with occasional lecturing. For students considering law school, the course will provide a useful introduction to the study of the law generally, and to the Socratic teaching method often employed in law school courses.

### **Reading**

We principally will read Supreme Court and other federal court cases, as well as some articles and additional materials. All reading materials will be distributed during the semester.

### **Preparation and Class Participation**

Socratic instruction demands full and careful preparation by both the instructor and the students. Unlike more lecture-oriented courses, the students will be active participants in each class. You have my commitment that I will be fully prepared for each class, and I expect the same commitment from each student.

### **Grading**

The course grade will be based on two take-home exams (25% each) and a comprehensive final exam (50%). The take-home exams will be handed out on **September 24** and **October 29** and will be due the following week. Although I will not assign a grade for class participation, I reserve the right to adjust a student's final grade up or down up to a half letter grade based on class participation.

**CLAS Drop Date: September 11, 2024**

**CLAS Withdraw Date: October 22, 2024**

**Final Exam Date: Take-home to be completed during final exam period**

**Course Outline for ECON 4200**

The course will generally follow the following outline.

- I. The Essential Antitrust Statutes
  - A. Sherman Act
  - B. Clayton Act
  - C. Federal Trade Commission Act
- II. Horizontal Price Fixing and Market Division
  - A. “Naked” vs. “Ancillary” Price Fixing
  - B. Exchange of Price Information
  - C. Conscious Parallelism
  - D. Horizontal Restrictions on Distribution
- III. Mergers of Competitors
  - A. Horizontal Mergers
  - B. Vertical Mergers
- IV. Monopolization and the Dominant Firm
- V. Exclusionary Practices
  - A. Exclusive Dealing
  - B. Tying
  - C. Boycotts and Refusals to Deal
  - D. Predatory Pricing and Price Discrimination
- VI. Vertical Price Fixing and Market Division
- VII. Monopolization Through Abuse of Governmental Procedures\*

\*Time permitting.