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Department of European,
International and Comparative Law



Disclosure in Antitrust Damages Actions in Europe



3.11.2023
University of Vienna
Alte Kapelle

Access to evidence has been marked as the key issue in antitrust damages actions in the 2014 EU Damages Directive. Roughly ten years after the Damages Directive and a first wave of cases on national level, this conference looks at the implementation of the disclosure rules throughout Europe. On the panels, we will discuss pressing issues, such as the CJEU case law, perspectives of national courts (Austria, Germany, Spain, Netherlands, Norway, Portugal, and UK), cooperation with competition authorities, confidentiality arrangements, disclosure and economic evidence proceedings, cost of disclosure, and much more.

Program

10:00-10:30 Uhr **Welcome**

Lena Hornkohl, Universität Wien

Martin Seegers, Cartel Damages Claims/The Circle

Panel 1:

Challenges of disclosure in antitrust damages actions

Moderator: Lena Hornkohl, Universität Wien

10:30 – 12:00

Role of access to evidence in antitrust damages actions

Hanno Wollmann, Schönherr/Universität Wien

CJEU case law on disclosure and its impact on practice

Vivien Terrien, Court of Justice of the European Union

Perspective of national courts on disclosure in antitrust damages actions

Georg Kodek, Oberster Gerichtshof/Wirtschaftsuniversität Wien

Discussion

12:00-13:00 **Lunch**

Panel 2:

Ordering disclosure in practice

Moderator: Peter Gussone, GQL

13:00 – 14:30

Disclosure and cooperation with competition authorities

Verena Strasser, Bundeskartellanwalt-Stellvertreterin

Confidentiality arrangements and disclosure

Lena Hornkohl, Universität Wien

Disclosure in economic evidence proceedings: which data for court appointed experts?

Sarah Milde, Hengeler Mueller

Scope and costs of disclosure in antitrust damages actions

Florian Neumayr, bpv Hügel

Discussion

14:30 – 15:00 **Coffee**

Panel 3:

Experiences from the (Member) States

Moderator: Martin Gassler, Wolf Theiss

14:00 – 16:55

- **Austria**, Petra Leupold, Verein für Konsumenteninformation
- **Germany**, Peter Gussone, GQL
- **Spain**, Julia Suderow, Suderow Fernández
- **Netherlands**, Joost Möhlmann, Van Benthem & Keulen
- **Norway**, Clemens Kerle, CMS
- **Portugal**, Miguel Sousa Ferro, Milberg Sousa & Associados
- **United Kingdom**, Ben Lasserson, Mishcon de Reya

Discussion

16:55 – 17:00 Uhr **Closing**
Lena Hornkohl, Universität Wien
Martin Seegers, Cartel Damages Claims/The Circle

Participation is free of charge.

Registration is requested by 25 October 2023 to:
sekretariat.europarecht@univie.ac.at