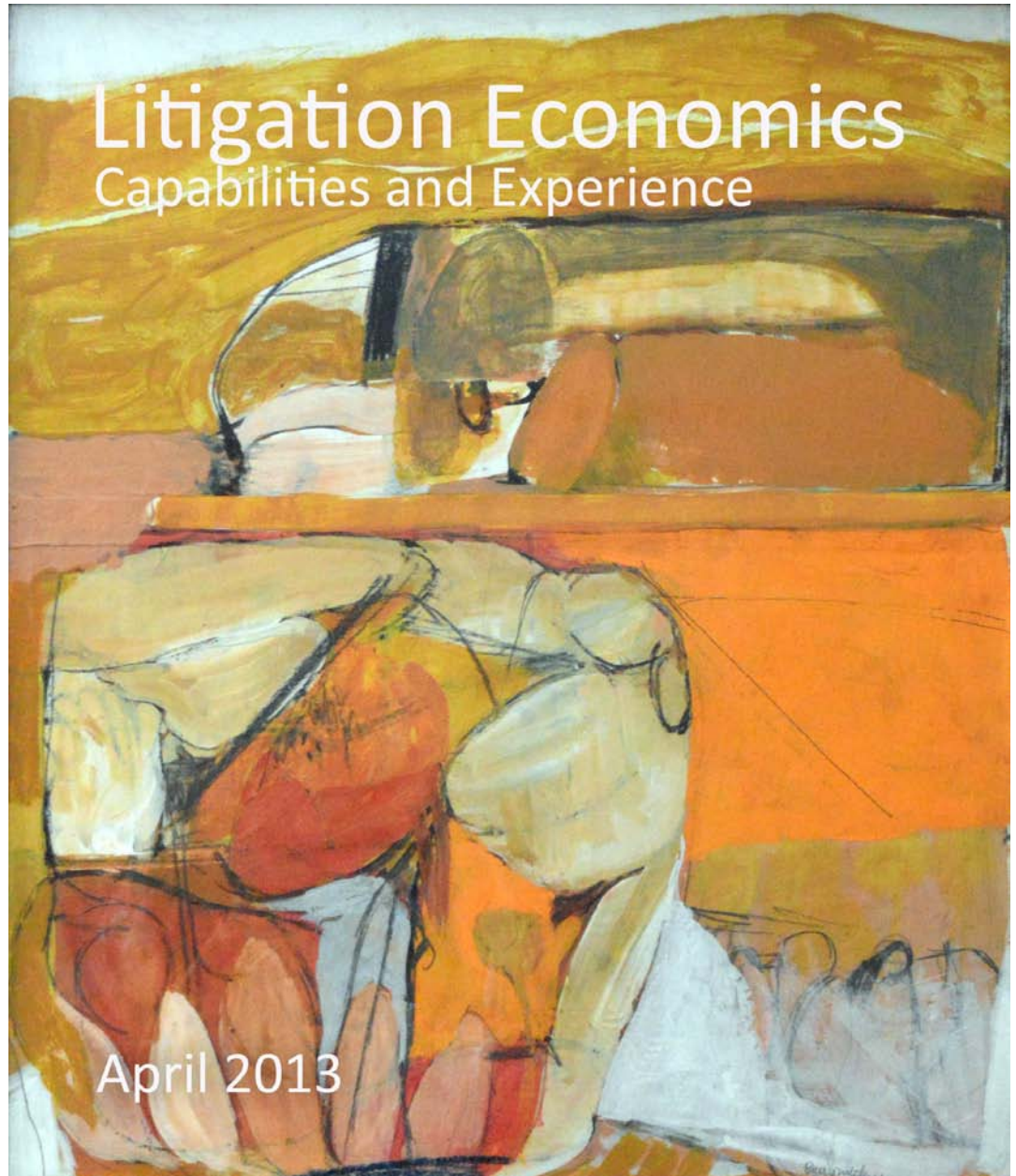




CASE ASSOCIATES

competition, litigation and regulation economics

www.casecon.com



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ECONOMICS 20



CASE has an experienced litigation economics practice specialized in competition, regulatory and commercial litigation, and other disputes involving an economic aspect such as tax disputes and investment treaty obligations.

CASE has been continuously rated since 2006 as one of *Global Competition Review's* "GCR Economics 20" leading competition economics consultancies worldwide.

Dr Cento Veljanovski (Managing Partner and Head of the Litigation Economics) is consistently ranked in the *Global Competition Review* and Euromoney's annual peer reviews of the world's leading competition economists.

Well Established Practice

We have supported litigation since the 1980s beginning with *BBC v BSB* World Cup copyright infringement and *Camera Care* negligence actions; and the landmark *Telecom New Zealand v Clear* (1994) case. In the UK, Case economists have acted as expert witnesses in the first competition cases of their type - *Hendry v WPBSA* (2002) which was the first standalone competition action; *Deans/BCL* (2004) the first settled follow-on damage action; and the landmark *Crehan* (2003) and *Devenish* (2007) cases.

Covering Many Sectors

We have given evidence on competition and economic issues in the transport, airlines, energy, water, telecommunications, satellite, credit/store cards, banking, property, postal, paint, commodities, chemicals, intellectual property, sports, airlines, Internet, tax, air cargo, ports, packaging, insurance, pay TV and movies sectors/industries.

Quantifying Damages

We specialise in quantifying damages and overcharges in cartel and exclusionary abuse cases.

International Experience

Our economists have appeared as expert witnesses in cases before the English & Wales High Court, Scottish Court of Sessions, Irish High Court, Federal Court of Australia, New Zealand High Court, Den Haag District Court, Finnish Higher Administrative Court, Hong Kong Telecommunications Appeal Board, UK Competition Appeal Tribunal and UK Tax Appeal Tribunal.

Hot Tub Experience

We have participated in the concurrent evidence (hot tub) procedure in Australia and New Zealand, which has now been introduced in the UK.

SOME RECENT ASSIGNMENTS

Case has recently assisted in settlements or at trial in the following areas:

Cartel Actions

We have provided economic evidence and damage quantification in cartel actions in European and the Asia Pacific regions. We have acted for alleged cartelists, damage claimants, or the prosecuting authorities in the LCD, Cardboard Box, Marine Hoses, Vitamins and Air Cargo cartels. We have also assisted in appeals against European Commission's fines before the European Court of First Instance.

Competition Actions

We have been retained in standalone Articles 101 and 102 TFEU cases in the UK (sports, chemicals, financial services); Ireland (telecoms, GP services); New Zealand (energy, airlines, insurance, banking), Australia (credit cards, telecoms, pay TV, airlines); and Hong Kong (telecoms) and other countries in the airline sector. These involved market definition, competitive assessments, empirical analysis and damages quantification. These included an AUD1 billion damage claim against Telstra where our assessment of future damages was instrumental in gaining a favourable settlement for our client.

Regulatory Appeals

We have assisted telecommunications' operators, energy companies, airport operators, and commodity exchanges in the UK, Ireland, Netherlands, Finland, Hong Kong, Indonesia and New Zealand in appeals and court actions against price controls, depreciation allowances, access terms and interconnection arrangements.

Commercial Disputes

We have provided economic analysis and damage quantification in commercial disputes including negligence and contract cases. Recently we assisted several clients in dispute with their insurers over an escalation clause following a major natural disaster. We provided an analysis of post-disaster construction cost inflation leading to a favourable settlement for the client.

Arbitration

Case economists have appeared as expert witnesses in arbitral proceedings between a European cable operator and the Hollywood film studios (2004); and for the Government of the Czech Republic in a damage claim by a frustrated foreign investor (2003).

SELECTED CASES

FlyLAL v AirB, Vilnius District Court, 2014.

Rusal v. London Metal Exchange, High Court, England & Wales, 2014.

Competition Authority v Irish Medical Organisation, Irish High Court, 2014.

ACCC v. Air New Zealand, Federal Court, Australia, 2012.

SmarTone v. Telecommunications Authority, Telecommunications Appeal Board, Hong Kong, 2012.

Commerce Commission v. Cathay Pacific, Singapore, Thai, Korean, Air New Zealand, Malaysia, Japan & Emirates, High Court, New Zealand, 2011.

ACCC v. Singapore Airlines, Federal Court, Australia, 2010 (advisory to ACCC).

Todd Energy v. Shell and OVM, High Court, New Zealand, 2010.

BASE & Mobistar v. Belgacom Mobile, Commercial Court, Brussels, 2009-2011.

Moy Park v. Hoffman la Roche, Aventis, High Court, England & Wales, 2009.

PCCW v. Telecommunications Authority, Telecommunications Appeal Board, Hong Kong, 2009.

Seven Network v. News, Full Federal Court, Australia, 2009.

Devenish Nutrition v. Sanofi-Aventis, High Court, England & Wales, 2007.

Ineos Vinyls v. Huntsman Petrochemicals, High Court, England & Wales, 2006.

Barclays Bank v. Port of Rotterdam, High Court, England & Wales, 2006.

BCL v. Aventis, Hoffman-La Roche, Competition Appeal Tribunal, 2004.

Deans Foods v. Roche, Hoffman-La Roche & Aventis, Competition Appeal Tribunal, 2004.

KPN Telecom v. NL Tree & Easynet Group, Den Haag District Court, Netherlands, 2006.

MasterCard International & Visa v. Reserve Bank of Australia, Federal Court, Australia, 2003.

Crehan v. Intrepeneur/Courage, High Court, England & Wales, 2003.

Sonera v. Finnish Competition Authority, Supreme Administrative Court, Finland, 2003.

Hendry v. World Professional Billiards & Snooker Association, High Court, England & Wales, 2002.

Optus v. Telstra, Federal Court, Australia, 2001.

Clear v. Telecom New Zealand High Court, New Zealand, 1992.

DR. CENTO VELJANOVSKI

BEC (Hons), MEd, DPhil, ACI Arb

Dr Veljanovski is Managing Partner of Case Associates, IEA Fellow in Law & Economics, Adjunct Senior Research Fellow, Centre for Regulation and Market Analysis (CRMA), University of South Australia. He is a well-known economist with over thirty-five years' experience as an adviser to companies on competition, regulatory and communications economics. He has been a director of several management and economics consulting firms, on the Board of listed public companies, a director of an economics research institute, and held a range of academic appointments in economics and law faculties in the UK, Australia and North America.



Cento has been continuously selected as one of the 'most highly regarded' competition economists globally by successive *Global Competition Review* peer reviews. He regularly acts as an expert witness in competition law, commercial and damage litigation. Cento has recently acted as expert witness in the English & Wales High Court, Scottish Court of Sessions, Irish High Court, Federal Court of Australia, New Zealand High Court, Den Haag District Court, Finnish Higher Administrative Court, Hong Kong Telecommunications' (competition Provisions) Appeals Board, UK Competition Appeal Tribunal, and the International Court of Arbitration. He has been an expert witness in landmark competition cases (*Clear v. Telecom, Crehan, Hendry, Devenish*) and follow-on damage claims against members of the 'international vitamins' cartel' (*Deans/BCL, Devenish, Moy Park, Grampian/Vion*). He has a wide experience of different industries including telecommunications, media (cable, TV, newspapers, music etc.), transport, energy, water, credit/store cards, property, banking, insurance, postal, paint, sport, Internet, tax packaging, electronics, and movies sectors/industries.

Cento has had a distinguished academic career. He was educated in Australia and the United Kingdom, holding several degrees in law and economics (BEC (Hons), MEd, DPhil.). After a short period at the Australian Federal Treasury he held a research fellowship at the Centre for Socio-Legal Studies, Oxford University. He was then appointed the first economist to a law school in the UK at University College London where he developed law and economics courses, and taught law (tort, contract, financial regulation). He then became Research & Editorial Director of the Institute of Economic Affairs (IEA), an influential economics think tank at the forefront of debate on economic and industrial policies in the UK and Europe. Cento has held academic posts at Monash University (Australia), York University (UK); Visiting Professorships at the Universities of Toronto, New York, and Miami; and adjunct positions with the Australian Law Reform Commission, Centre for Economic Policy Research (UK), and Centre for Policy Studies (Australia). He has written over 100 books and articles on industrial and competition law economics, law and economics, and regulation including *The Economics of Law* (IEA, 2006) and *Economic Principles of Law* (CUP, 2007). He is on the editorial board of the *UK Competition Law Reports* and the *Journal of Network Industries*. Cento is a member of the International Bar Association and an Associate Member of the Chartered Institute of Arbitrators.

For further information or to discuss a specific matter contact:

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General information on Case's services and experience is available at www.casecon.com