

AUSTRALIAN JOURNAL OF COMPETITION AND CONSUMER LAW

Volume 27, Number 3

August 2019

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ARTICLES

Problems Associated with Joint Expert Reports for “Hot Tubs” – *Christopher Pleatsikas*

The goals of “hot tubs” are admirable, particularly in circumstances where expert opinions rest on specialised knowledge, such as those of economic experts. However, those goals and that specialised knowledge may not be immediately accessible to judges or jurors, because, unfortunately, the practical application of the hot tub process too often fails to achieve the objectives for which it was devised. The objective of this article is to focus on the problems associated with joint expert reports that are an integral part of the hot tub process, particularly the problem of expert advocacy, and to suggest some measures that can be taken to ameliorate these problems. The focus is on economic experts, but many of the problems identified and the solutions proposed are applicable to a wide range of expertise. One of the most effective means of improving the process may require the imposition of a neutral arbiter into the joint report process. 176

Cartel Class Actions in Australia: Risks vs Rewards – *Lynsey Edgar*

This article considers why only five cartel class actions have been brought in Australia, and critically analyses the suggestion that the reason for the lack of cases is due to the significant hurdles which plaintiffs face in bringing a claim. The article concludes with the view that the apparent barriers for successfully pursuing cartel class action are not overly complex, and certainly not insurmountable. 183

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