

TRADE PRACTICES LAW JOURNAL

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EDITORIAL	5
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ARTICLES

Expert evidence in competition litigation – *Christopher C Hodgkiss SC*

This article deals with the roles which an expert economist can play in competition litigation. It examines relevant case law, the Guidelines for Expert Witnesses in the Federal Court, and matters related to the preparation of expert evidence. It also describes how expert evidence may be utilised in relation to matters of market definition, and assessing the impact of conduct on competition. 6

Tying, bundling, loyalty rebates and exclusive dealing in US antitrust: What can Australia learn? – *Natasha Blycha and John Duns*

Despite the fact that non-price vertical restraints are part of everyday commercial life, Australian courts have had few occasions on which to assess their anti-competitiveness. Relevant US antitrust jurisprudence is, by contrast, far richer. Two Australian reform bodies have recommended that the non-price vertical restraint provisions of the Australian legislation be amended, which would bring the Australian provisions more into line with those in the United States. Whatever the fate of these reforms, US law will inevitably influence Australian developments. Accordingly, the object of this article is to analyse US jurisprudence on non-price vertical restraints in order to determine what it has to offer Australian law. 26

AUTHORISATIONS AND NOTIFICATIONS

Canberra After-Hours Locum Medical Service: Application for authorisation of a capped fee structure

Jessica Stewart 43

CONSUMER PROTECTION

In the wake of *Butcher*: Decisions affecting the liability of agents and third parties in proceedings for misleading or deceptive conduct

Sam Appleton and Bernard McCabe 46

ENFORCEMENT AND REMEDIES

Declaratory relief where only some of the defendants default or consent

Anthony Papamatheos 53

CASE NOTE

ACCC v High Adventure Pty Ltd

Patrick Garcia 56

REPORT FROM RUSSIA

Anti-monopoly clearance for corporate acquisitions in Russia: An overview

Nikolay Batulin 60

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