

February 28, 2012

The Honorable Patrick J. Leahy
Chairman
Committee on Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Charles E. Grassley
Ranking Member
Committee on Judiciary
United States Senate
224 Dirksen Senate Office Building
Washington, DC 20510

Re: William J. Baer
Nominee
Assistant Attorney General in Charge of the Antitrust Division

Dear Chairman Leahy and Ranking Member Grassley:

The undersigned are former Chairs of the Section of Antitrust Law of the American Bar Association, the largest global organization of antitrust lawyers and economists and a leading proponent of the importance of competition to a free economy. We write today in support of the nomination of William Baer to be Assistant Attorney General in charge of the Antitrust Division of the United States Department of Justice. We support Mr. Baer because of his demonstrated ability as an antitrust lawyer and his outstanding record of public service. While the undersigned former Chairs of the Antitrust Section include Democrats, Republicans, and Independents, we are all united in our support for Bill Baer's nomination to head the Antitrust Division.

Bill Baer has demonstrated throughout his career that he is an excellent antitrust lawyer. He has handled with excellence a broad array of antitrust matters. From major mergers to cartel investigations, he has a lengthy resume of experience and success. His extensive antitrust background makes him well qualified to be the Antitrust Assistant Attorney General.

Bill Baer's excellence as an antitrust lawyer is well known and recognized by his peers, clients, and professional organizations. He has been recognized as follows:

The Best Lawyers in America 2012 for Antitrust Law
Washingtonian's "Best Lawyers" 2011 for Antitrust
Best Lawyers "Washington, DC Antitrust Lawyer of the Year" 2010 and 2012
The Legal 500 US 2011 "Leading Lawyer" for Antitrust
Chambers USA: America's Leading Lawyers for Business 2011 for Antitrust
Washington, DC Super Lawyers 2011: "Top 10 Lawyers in DC"
The International Who's Who of Competition Lawyers 2011
Chambers Global: The World's Leading Lawyers for Business 2011 for
Competition/Antitrust
PLC Which lawyer? Yearbook 2011: Endorsed for Competition/Antitrust
The National Law Journal list of "The Decade's Most Influential Lawyers" 2010
Chambers USA's Award for Excellence 2008 for Antitrust

Bill Baer also has a distinguished record of public service. He twice has worked at the Federal Trade Commission. Upon graduation from law school in 1975 he joined the Commission as a Trial Attorney in the Bureau of Consumer Protection. Later he served as Assistant to the Director of the Bureau of Consumer Protection, Assistant to the Chairman of the FTC, and Assistant General Counsel in Legislation and Congressional Relations. In 1980 he left the Commission to enter private practice, but returned to the Commission in 1995 to serve for the next four years as the Director of the Bureau of Competition when Robert Pitofsky was Chairman of the FTC. While Director he led numerous enforcement efforts, including the Commission's challenge of Staples' acquisition of Office Depot, the Commission's challenge to mergers involving the four largest drug wholesalers and the Commission's challenges to exclusionary conduct by Toys R Us and Intel.

He has demonstrated leadership skills. During the period when he led the FTC's Bureau of Competition, it was widely regarded as an especially effective enforcement agency. As the head of the Arnold & Porter antitrust group, he has built it into one of the most well respected practices in the world. He has always enjoyed the loyalty of his team.

He has experience in international issues, which are increasingly important to antitrust enforcement and competition policy. Those issues became important during his tenure at the FTC, so Bill worked regularly with his international counterparts. He was responsible for opening Arnold & Porter's office in Brussels, and regularly commuted to Brussels for several years.

Bill Baer's experience and judgment have been recognized by his alma maters. He has served on the Board of Visitors of Stanford Law School and currently is Vice Chair of the Lawrence University Board of Trustees.

Based on his demonstrated abilities, his widely acknowledged expertise in antitrust, his broad experience, his outstanding record of public service, and his commitment to the importance of antitrust enforcement to maintaining a competitive economy, we all support the nomination of William J. Baer to be Assistant Attorney General in charge of the Antitrust Division. Because the current Acting Assistant Attorney General, Sharis Pozen, has announced that she will leave the Antitrust Division on April 30, we urge the Committee to conduct a hearing promptly so Bill Baer can be confirmed as soon as possible. Thank you for your consideration of this letter of support.

Sincerely,

1977 - 1978 Ira M. Millstein
1980 - 1981 Harvey M. Applebaum
1981 - 1982 Edward William Barnett
1983 - 1984 Richard W. Pogue

1985 - 1986 James T. Halverson
1987 - 1988 James F. Rill
1988 - 1989 Irving Scher
1989 - 1990 Harry M. Reasoner

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1990 - 1991	J. Thomas Rosch	2001 - 2002	Roxane C. Busey
1991 - 1992	Robert P. Taylor	2002 - 2003	Robert T. Joseph
1992 - 1993	Michael L. Denger	2003 - 2004	Kevin E. Grady
1993 - 1994	Alan H. Silberman	2004 - 2005	Richard J. Wallis
1994 - 1995	Caswell O. Hobbs	2005 - 2006	Donald C. Klawiter
1995 - 1996	John DeQ. Briggs	2006 - 2007	Joseph Angland
1996 - 1997	James R. Loftis, III	2007 - 2008	Kathryn M. Fenton
1997 - 1998	Robert C. Weinbaum	2008 - 2009	James A. Wilson
1998 - 1999	Phillip A. Proger	2009 - 2010	Ilene Knable Gotts
1999 - 2000	Janet L. McDavid	2010 - 2011	Allan Van Fleet
2000 - 2001	Ky P. Ewing, Jr.		

cc: Members of the Senate Committee on the Judiciary