

# Training of National Judges in EU Competition Law

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8th-10th June 2023

## Quantifying damages and Passing-on

University of Valencia  
Law School

Manager: Prof. Dr. Juan Ignacio Ruiz Peris.

Deputy: Mrs. Justice Purificación Martorell and Mr. Paul Hitchings.

Secretary: Dr. Carmen Rodilla Martí & Dr. Carlos Gómez Asensio.

DEFCOMCOURT 6  
Facultad de Derecho  
Avda. Tarongers s/n 46022 Valencia  
Grade Hall



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# PROGRAMME

## THURSDAY 8<sup>TH</sup> JUNE 2023

16:00 - 16:30 Registration

16:30 Wellcome address

Judicial Authorities  
Prof. Dr. Javier Palao (Dean of the Law Faculty)  
Prof. Dr. Juan Ignacio Ruiz Peris (Manager of the DEFCOMCOURT 6 Project)

17:00 • **Opening Speech: Economics of calculating cartel damages.**  
Mr. Felipe Florez Duncan, Partner, Oxera, London

18:00 Coffee break.

18:30 **Panel 1 "Expert evidence on the quantification of harm: a procedural view".**  
Moderated by Mr. Justice Eduardo Pastor JM 3 Valencia.

- **Expert role: party and judicial experts.**  
Speaker: Mr. Luis Fontaine Campos, Frontier Economics, Cologne
- **Presentation of expert evidence, exchanges between experts, amendment or extension of expert evidence during process.**  
Speaker: Dr. Tim Reher, Partner, CMS, Hamburg
- **Judge's role, "hot-tubbing", expert teach-ins, hearing duration and presentation tools.**  
Speaker: Mr. Paul Hitchings, Managing Partner, Hitchings & Co., Madrid

20:00 Cocktail.

## FRIDAY 9<sup>TH</sup> JUNE 2023

09:30 **Panel 2 "Passing-on (the legal view)"**  
Moderated by Mr. Paul Hitchings, Managing Partner, Hitchings & Co., Madrid

- **Legal matters: standing of indirect purchasers (or buyers), legal causation (remoteness), full compensation and unfair enrichment, policy considerations.**  
Speaker: Mr. Justice Gustavo Martín Martín JM1 Alicante.
- **Heads of harm: passing-on of overcharges and loss of sales (volume effects).**  
Speaker: Mrs. Justice María Teresa Vázquez Pizarro, Chair Court of Appeals Salamanca.
- **Evidentiary issues.**  
Speaker: Mr. Vivien Terrien, Référendaire, General Court of the EU, Luxembourg.

11:00 Coffee break.

11:30

**Panel 3 "The economics of passing-on".**

Moderated by Mr. Enrique Cañizares, Partner RBB Economics, Madrid  
• **Methods of quantification (direct estimates, pass-on rate approach, calculation of volume effects, holistic approaches).**  
Speaker: Dr. Benoît Durand, Partner, RBB Economics, Brussels.

• **Economic theory and its role.**

Speaker: Dr. Rosa Ferrer, Associate Professor - Universitat Pompeu Fabra / Affiliated Professor - Barcelona School of Economics

• **Factual and expert evidence of passing-on.**

Speaker: Dr. Joan-Ramon Borrell, Professor, Universitat de Barcelona School of Economics

14:00

Lunch.

16:00

• **Panel 4: "Judicial evaluation of the evidence".**

Moderated by Mrs. Justice Purificación Martorell Section 9 Court of Appeals of Valencia

• **Burden of proof and presumption of harm.**

Speaker: Mr. Justice Eduardo Pastor JM 3 Valencia.

• **Standard of proof for claimants and defendants.**

Speaker: Mr. Justice Dr. Salvador Vilata Menadas JM 1 Valencia

• **Exercise of Directive Court's estimation damages faculty.**

Speaker: Mrs. Justice Purificación Martorell Section 9 Court of Appeals of Valencia.

18:30

**Econometrics Workshop.**

Guided by Mr. Joseph Bell, Partner, Oxera, Oxford and Mr. Fernando Louge, Manager, Frontier Economics, Brussels.

21:00

Dinner.

## SATURDAY 10<sup>TH</sup> JUNE 2023

10:00

**Mock Trial: Expert evidence report judicial contest.**

Judge: Mrs. Justice Purificación Martorell Section 9 Court of Appeals of Valencia. Experts: Mrs. Simone Kohnz, Director, E.CA Economics, Berlin; Ass. Prof. Dr. Albert Banal-Estañol (UPF)

12:00

Coffee break.

12:30

**Closing speech: Economics and Law in competition damages actions.**

Prof. Dr. Juan Ignacio Ruiz Peris (UV)

13:30

**Closing ceremony**

14:00

Spanish wine.