

**Report re. noon time CLE program featuring Attorney General Lori Swanson  
Town & Country Club, January 16, 2008**

Attorney General Swanson presented an overview of her office's enforcement priorities which included a number of consumer protection efforts as well as recent antitrust enforcement activity. Approximately 60 persons registered to attend the program and about as many were present. Many in attendance were from outside our section, reflecting broad general interest in the legal community. The mix of topics seemed well suited to the group in attendance.

In the consumer protection area the Attorney General said her office will focus on senior citizen fraud particularly in the area of insurance product marketing (e.g. living trusts, deferred annuities and long term annuity products). Mortgage fraud will also be an area of emphasis (e.g. improper broker incentives, fake income reports, home equity scams). Protection of consumers of utility and telecommunication services is a third area of emphasis (e.g. "no surprise" billing plans where consumers never win).

In the Antitrust enforcement area the Attorney General said her office will continue to be involved by acting alone; by joining with other State Attorneys General in multi-state enforcement collaborations, and by jointly participating in enforcement actions initiated by the Justice Department's Antitrust Division. Ms. Swanson described a legal challenge to Waste Management's long-term auto-renew service contracts with businesses in the Mankato area as an example of her office acting alone. She described Minnesota's challenge to a proposed merger of school bus service providers as part of a multi-state collaboration. And Minnesota joined DOJ in opposing Alltel's acquisition of Midwest Wireless -- resulting in a Consent Decree providing for divestiture of assets in the Mankato area.

Ms. Swanson also said that her office will lobby for the repeal of the antitrust exemption for railroads -- citing insufficient regulatory control by the Surface Transportation Board. She also mentioned that the Attorney General's Office joined comments submitted to the FTC in the Nine West matter -- offering an RPM evaluation standard that is short of per se illegality.

Tom Sheran  
2/8/08