

5 Aldermanbury Square  
London  
EC2V 7HR

T: +44 20 3932 9690  
[mpflanz@compasslexecon.com](mailto:mpflanz@compasslexecon.com)

### EDUCATION

*MPhil in Economics*, Oxford University, United Kingdom  
*BSc in Mathematics*, University of Exeter, United Kingdom

### PROFESSIONAL EXPERIENCE

2016 - Present, *Senior Consultant*, Compass Lexecon  
2005 - 2016, *Vice President, Head of German Competition Practice*, Charles River Associates  
1996 - 2005, *Director (previously Senior Economist)*, Lexecon Limited  
1994 - 1996, *Economic Consultant*, Oxford Economic Research Associated Ltd (OXERA)  
1995 - 1995, *Visiting Lecturer in Economics*, Birmingham University

### PROJECT EXPERIENCE

#### Merger control – European Commission

- Avago/Broadcom (semiconductors), 2015
- Onex Corporation /SIG Group (food packaging), 2014-15
- Caterpillar/MWM (power generation), 2011
- Volkswagen/MAN (commercial vehicles), 2011
- Novartis/Alcon (eyecare products), 2010
- Lufthansa/Austrian Airlines (passenger air transport), 2009
- Pfizer/Wyeth (human and veterinary pharmaceuticals), 2009
- Lufthansa/SN Airholding (passenger air transport), 2009
- Sanofi-Aventis/Zentiva (pharmaceuticals), 2008-09
- Oracle/BEA (enterprise software), 2008
- Thomson/Reuters (financial information), 2007-08
- Kraft/Danone Biscuits (biscuits and confectionery products), 2007
- OEP / MSP-Stiftung / DVG / Dailycer Group (ready to eat cereals), 2007
- Superior Essex/Invex (winding wires), 2007
- Linde/BOC (industrial gases), 2006

- Sea-Invest/EMO-EKOM (shipping terminal services), 2005-06
- Oracle/Siebel (enterprise software), 2005
- Oracle/PeopleSoft (enterprise software), 2003-04
- Cinven/Candover/BertelsmannSpringer (academic publishing), 2003
- Pfizer/Pharmacia (human and veterinary pharmaceuticals), 2002-03
- Johnson Controls/Varta (starter batteries), 2002
- General Electric/Unison (aerospace components), 2002
- General Electric/Honeywell (aerospace and other products), 2001
- Lafarge/Blue Circle (cement), 2000
- SmithKline Beecham/Block Drug (consumer healthcare), 2000
- Air Liquide/BOC (industrial gases), 1999
- Danish Crown/Vestjyske Slagterier (slaughterhouse co-operatives), 1998
- Nordic Capital/Mölnlycke Clinical/Kolmi (medical products), 1997

#### **Merger control – National Competition Authorities**

- Lincoln Electric/Air Liquide Welding (welding products – multiple European jurisdictions), 2017
- Sensata/CST (automotive/industrial sensors and controls – BKartA), 2015
- Essilor/Transitions (optical lenses – OFT and BKartA), 2013-14
- Thomson Reuters/PLC (legal information solutions – OFT), 2013
- Becton Dickinson / Safety Syringes Inc. (healthcare products – BKartA), 2012
- H. H. Thiele/Vossloh (rail transport equipment – BKartA and Austria), 2012
- HASPA Finanzholding/KSK Herzogtum Lauenburg (retail banking – BKartA) 2011-12
- SRCL/Ecowaste Southwest (clinical waste management – CC), 2011-12
- Thomson Reuters/World Check (risk management solutions), 2011
- Stericycle/Cliniserve (clinical waste management – OFT), 2008
- Stericycle/STG (clinical waste management – CC), 2006-07
- Impress/U.S. Can (food packaging – BKartA), 2006
- Francisco Partners (GXS)/G-International (electronic data interchange – OFT/CC), 2004-05
- Assa Abloy/Black & Decker (locks – Netherlands (NMa) and Germany (BKartA)), 2003-04
- GE Capital (various transactions – consumer finance – OFT and ACCC), 2002
- Arla/New Zealand Milk (dairy products – OFT), 2001
- SSL/Coloplast (consumer healthcare – OFT), 2001



- Reed-Elsevier/Harcourt (publishing – CC), 2001
- Kodak/ColourCare (photo processing and development – CC), 2001
- Nutreco/Hydro Seafood (salmon farming – CC), 2000
- Lincoln Electric/Charter (welding products – multiple European jurisdictions), 2000
- Grundfos/Baxi (Myson) (domestic pumps – OFT), 2000
- Littlewoods/Freemans (mail order – MMC), 1997
- Pilkington/Plyglass (glass – OFT), 1996

## Competition Litigation

- Follow-on damages actions from the EC Trucks decision (German courts) – advice and expert assistance on defending damages claims (2017- )
- Follow-on damages in the automotive supply sector (German courts) – advice on defending potential damages claims (2014-2016)
- Follow-on damages actions from the EC Car Glass decision (UK/German courts) – advice and expert assistance on damages (2012-16)
- Damages claims against rail manufacturers (German courts) – assistance to Deutsche Bahn on quantification of damages (2011-16)
- PFG v. EUROPARK (Austrian courts) – assistance to EUROPARK (SPAR Austria subsidiary) in defending Art. 101 claim of anti-competitive provisions in shopping centre lease contracts (2010)
- vwd v. Commission (appeal against EC merger clearance decision in Thomson/Reuters; Court of First Instance) – assistance to Thomson Reuters as Intervener in support of European Commission and submission of report to the Court (2009-13)
- MTV v. IP Deutschland and Seven One Media (German courts) – advice on a claim for damages following on from Bundeskartellamt infringement decision against TV airtime marketing companies relating to anti-competitive retroactive rebate schemes (2008-14)
- Appeal against EC merger clearance decision (Court of First Instance) – assistance in preparing an application for annulment of Phase I clearance decision (2008-12)
- A claim under Art. 82 EC (German Oberlandesgericht) – claim of abusive exclusionary behaviour in relation to the transport/travel industry (2007)
- A cartel damages action (English High Court) – claim for damages under Art. 81 EC by a major oil company against a provider of offshore services; designated as expert witness (2006)
- Appeal against European Commission Article 81 decision (Court of First Instance) – advice on competition case on behalf of a German industry collective organisation (2002)
- General Electric v European Commission (Court of First Instance) – Appeal against Decision under EC Merger Regulation; appeared before CFI on behalf of General Electric (2001-05)
- Chanelle v Pfizer (Irish High Court) – competition case regarding selective distribution in veterinary medicines (1997)
- Whitehall Laboratories v ASDA – contract/competition case regarding resale price maintenance on over-the-counter pharmaceuticals (1996)
- Sterling v Sykes (English High Court) – competition aspects (Art. 81) of contract dispute relating to industrial pumps (1996-98)



- Woodfab v Coillte Teoranta (Irish High Court) – competition case in forestry products (1996-97)

### **Commercial Litigation and Arbitration (Non-Competition)**

- A claim by a public sector utility against an international investment bank regarding alleged mis-selling of derivatives (German Landgericht) – assistance to Defendant’s Counsel to presenting defence and financial expert witness evidence (2017-18).
- A dispute regarding a substantial commercial contract (English High Court) – advice to Defendant on economic aspects of defence (2011).
- A dispute between national rail operators (DIS arbitration) – assistance in presenting case in commercial dispute over entitlement to certain assets under a JV agreement (2005-2008)
- Intergovernmental dispute – arbitration of claims for compensation under Intergovernmental Treaty; designated as expert witness (2004-05)
- A claim by an energy project company against a government (ICC arbitration) – claim for damages in respect of aborted privatisation of electricity assets; acted as expert witness (2003-04)
- A dispute between media/broadcasting companies (contractual Expert Determination) – contract dispute relating to sports rights; prepared expert witness reports (2003-04)
- A dispute between a major oil & gas company and a port operator (contractual Expert Determination) – contract dispute over charges; appeared for clients at hearing (2001-02)
- A dispute between industrial products suppliers (English High Court) – competition aspects of contract dispute (2001)
- A potential damages action against HM Government – preliminary analysis assessing strength of damages claim (2001)
- A dispute between sovereign states (ad hoc international arbitration) – contract dispute regarding oil & gas venture; prepared expert witness report (2000-05)
- A dispute between energy generators (LCIA arbitration) – contract dispute in relation to major asset sale; acted as expert witness (2000-01)
- A dispute between major telecommunications operators (ICC arbitration) – contract dispute over joint venture in telecoms sector (2000)
- Leisure (Glynwed) v Ciba (English High Court) – damages in contract dispute (1999)
- A dispute between an oil & gas company and a sovereign state (ICC arbitration) – expropriation/contract dispute in oil & gas (1998)
- A dispute between sovereign states (ICC arbitration) – dispute relating to a major inter-governmental contract for defence equipment (1997-2000)
- United Biscuits v ASDA (English High Court) – passing off case in consumer confectionery products (1996-97)

### **Antitrust (Agreements, Abuse of Dominance, etc.)**

- Assistance to METRO in relation to Bundeskartellamt “vertical” grocery market investigation (2014-15)
- Advice to an information provider on a potential complaint under Art. 102. (2014)
- Advice to a consumer products manufacturer on a Bundeskartellamt investigation into agreements or concerted practices (2012-13)



- Advice to a coal supplier on an energy market investigation (2011-12)
- Advice to Domestic & General on OFT market investigation into Extended Warranties on Domestic Electrical Goods (2010-12)
- Advice to a grocery retailer on issues relating to retailer/supplier relationships and communications (2010-11)
- Advice to Thomson Reuters on European Commission Art. 102 investigation regarding symbology for financial information (“RICs”) (2009-13)
- Advice to Slovenian subsidiary of SPAR Austria on investigation into grocery supply pricing practices in Slovenia (2008)
- Advice to Shell on French proceedings (Conseil de la Concurrence) regarding alleged collusion in the pricing of aviation fuel (2008)
- Advice to Yahoo! in relation to EC competition law assessment of the proposed Google/Yahoo! internet search agreement (2008)
- Advice to Del Monte on European Commission Art. 81 investigation into banana information exchange (2007-08)
- Advice to Swisscom on access regulation issues (2007)
- Advice to a mobile telephony operator in an emerging market on price regulation issues (2006-07)
- Advice to MTN in relation to various South African mobile telephony regulation issues (2005-06)
- Advice to BSkyB in relation to Premier League football rights contracts (2005)
- Advice to a consumer products manufacturer in relation to abuse of dominance investigation by Bundeskartellamt (2005)
- Advice to a major international retail finance provider in the context of an OFT market investigation (2003-04)
- Advice to Hong Kong Broadcasting Authority in relation to a competition complaint in broadcasting (2003-04)
- Advice to Crown Castle UK in relation to regulation of television and radio transmission (2003-04)
- Advice to UK consumer healthcare supplier on OFT Competition Act investigation (2002-03)
- Advice to Domestic & General in relation to UK Competition Commission inquiry into Extended Warranties on Domestic Electrical Goods (2002-03)
- OFT Competition Act investigation into alleged price-fixing agreement in replica football kits (acting for 2 major retailers and Manchester United FC) (2002)
- Advice to Deutsche Telekom in EU Article 82 inquiry re. “price squeeze” (2002)
- Advice to Pfizer in UK Competition Commission inquiry into Veterinary Medicines (2002)
- Advice to Orange in UK Competition Commission calls-to-mobile (mobile termination charges) inquiry (2002)
- Advice to BSkyB on OFT inquiry under Competition Act (allegations of margin squeeze, other wholesale pricing practices) (2002)
- Advice to MTN (S. African mobile telephony operator) on regulatory issues (2001- 03)
- Advice to Lloyds TSB on proposed UK payment systems regulation (2001-03)
- Advice to Vodafone Pacific on Australian (ACCC) mobile termination pricing determination (2000)



- Advice to chemical company on quantification of cartel impact (2000)
- Advice to BAT in relation to Cyprus pricing inquiry (1999)
- Advice to British Salt on OFT price control review and related issues (1998-99)
- Advice to Vodafone in UK Monopolies and Mergers Commission calls-to-mobiles (mobile termination charges) pricing inquiry (1998), and other regulatory issues
- Advice to BT in relation to two Joint Venture agreements (1998)
- Advice to German steel industry association (Wirtschaftsvereinigung Stahl) on challenge to EU prohibition of information exchange agreement (1998)
- Advice to a ferry operator in relation to complaints under Article 82 (1998)
- Advice to aerospace manufacturer in relation to predatory pricing claim (1997)
- Advice on a complaint under Article 82 in relation to dental healthcare products (1996-97)
- Advice to BSkyB in relation to OFT investigation (wholesale pricing, market power / profitability) (1996)
- Advice to RJB Mining in relation to UK market for electricity generation fuel and of UK electricity generation competition (1996)
- Advice to Enron relating to market definition and competition analysis in upstream energy markets (1996)

#### **State Aids**

- Advice to Lufthansa in connection with proceedings in Germany relating to alleged state aid to low-cost carriers (2008)
- Advice to BSkyB on state aid aspects of public service broadcasting activities (1999)
- Advice to Deutsche Post on state aid aspects of universal service obligations (1998)
- Advice to RJB Mining on state aid aspects relating to Spanish coal industry (1998)

#### **Other Consulting Projects (Utilities, Energy, Environment)**

- Regulation of product standards – assist a leading consumer electronics manufacturer in providing analysis of regulatory options (2015)
- Comparative efficiency – extensive analysis and modelling for clients in industries including water, electricity, airports and the Post Office; various articles in OXERA publications
- Water sector – extensive work for North West Water and other operators on various regulatory issues
- Telecommunications – work for BT, Vodafone, Orange, MTN and other mobile operators, on issues including universal service obligations, cost measurement methodologies and price caps (see also above under Competition Projects)
- Environment – authored papers for UK Department of the Environment on market mechanisms in environmental protection; advice to UK Newspaper Publishers' Association in relation to government recycling initiatives
- Energy (in addition to competition cases listed separately above):
- NORWEB – contribution to comparative efficiency analysis project
- BNFL – study on alternative spent fuel routes



- PowerGen – background work on MMC inquiry into bid for Midlands Electricity
- Miscellaneous – advice to Manchester Airport in price cap review; work on financial issues in regulation; alternative regulatory frameworks; regulation of multi-utilities; presentations at OXERA workshops/courses and publications in OXERA journals on various regulatory issues, including ring-fencing, transfer pricing and quality-of-service regulation; editorial responsibilities for Utility Finance journal

### MISCELLANEOUS INFORMATION

- Listed as one of 10 economists worldwide in Global Competition Review's "40 under 40", January 2004; Member of team awarded "Litigation Matter of the Year" 2014 by Global Competition Review (for German rail cartel follow-on litigation).
- Numerous articles on competition and regulation published in European Competition Law Review, Zeitschrift für Wettbewerbsrecht, Utility Finance, Energy Utilities and elsewhere
- Regular speaker on competition and regulation at numerous conferences, workshops, seminars, training courses, etc.; includes:
  - public events organised by IBC, GCR, Hawksmere, British Institute of International and Comparative Law (BIICL), FIW, Global Competition Law Centre, Clifford Chance, CRA International and OXERA
  - numerous seminars, in-house training and one-off events at University College London (LLM course), College of Europe, AmCham (EU), Studienvereinigung Kartellrecht and major UK/Brussels/German law firms.

### LANGUAGES

- English (native)
- German (native)

