CONTENTS

SYMPOSIUM ISSUE
REGULATING TECH: PRESENT CHALLENGES & POSSIBLE SOLUTIONS

CONSUMER WELFARE & THE
RULE OF LAW: THE CASE AGAINST
THE NEW POPULIST ANTITRUST MOVEMENT ......................................ELYSE DORSEY
GEOFFREY A. MANNE
JAN M. RYBNICEK
KRISTIAN STOUT
& JOSHUA D. WRIGHT 861

WHEN CONSIDERING
FEDERAL PRIVACY LEGISLATION ..........................................................NEIL CHILSON 917

THE GDPR AND THE
CONSEQUENCES OF BIG REGULATION ............................................MATTHEW R. A. HEIMAN 945

MODERN PRIVACY ADVOCACY:
AN APPROACH AT WAR WITH
PRIVACY ITSELF? ...............................................................JUSTIN “GUS” HURWITZ & JAMIL N. JAFFER 955

EMERGING TECHNOLOGY &
REGULATION PANEL TRANSCRIPT .......................................................BILL GOODWIN
RYAN HAGEMANN
BROOKS RAINWATER
& CALEB WATNEY 965
PEPPERDINE CARUSO
SCHOOL OF LAW

Administration and Faculty

University Administration
James Allan Gash, B.A., J.D., University President
Rick R. Marrs, B.A., Ph.D., M.Div., Provost
Gary A. Hanson, B.S., J.D., Executive Vice President
Keith Hinkle, B.S., J.D., Vice President for Advancement and Public Affairs
Jeff Pippin, B.A., M.B.A., Senior Vice President for Investments

School of Law Administration
Paul L. Caron, A.B., J.D., LL.M., Duane and Kelly Roberts Dean and Professor
of Law
Naomi Harlin Goodno, A.B., J.D., Dean of Students and Professor of Law
Victoria Schwartz, B.A., J.D., Associate Dean for Academic Affairs and
Associate Professor of Law
Selina Brandt, B.S., J.D., Associate Dean for Student Success and Associate
Professor of Legal Research and Writing
Michael A. Helfand, B.A., J.D., Ph.D., Associate Dean for Faculty and
Research, Professor of Law and Interim Director, Nootbaar Institute of Law,
Religion and Ethics
Phillip Bohl, B.A., J.D., M.L.I.S., Assistant Dean, Information Services
Catherine Kerr Dodds, B.A., M.L.I.S., J.D., Assistant Dean of the Law Library
and Assistant Professor of Law
Shannon Phillips, B.A., Assistant Dean for Admissions, Student Information and
Financial Services

School of Law Faculty
Robert Anderson, B.A., J.D., Ph.D., Professor of Law
Jeffrey Baker, B.A., J.D., Director of Clinical Education and Associate Clinical
Professor of Law
Stephanie Blondell, B.A., J.D., Associate Director, Straus Institute of Dispute
Resolution and Assistant Professor of Law and Practice
Babette E. Boliek, B.A., J.D., Ph.D., Professor of Law
Thomas G. Bost, B.S., J.D., Professor of Law Emeritus
Selina Brandt, B.S., J.D., Associate Dean for Student Success and Associate Professor of Legal Research and Writing
Mireille Butler, J.D., J.D., Associate Professor of Legal Research and Writing
Harry M. Caldwell, B.A., J.D., Director of Trial Advocacy and Professor of Law
Carol A. Chase, B.A., J.D., Professor of Law Emeritus
Donald Earl Childress III, B.A., M.A., J.D., LL.M., Professor of Law
Robert F. Cochran, Jr., B.A., J.D., Louis D. Brandeis Professor of Law Emeritus
Jack J. Coe, Jr., B.A., J.D., LL.M., Ph.D., Professor of Law
Tanya Asim Cooper, B.A., M.A., J.D., LL.M., Director of the Restoration and Justice Clinic and Assistant Clinical Professor of Law
Richard L. Cupp, B.A., J.D., John W. Wade Professor of Law
Catherine Kerr Dodds, B.A., M.L.I.S., J.D., Assistant Dean of the Law Library and Assistant Professor of Law
Chris Chambers Goodman, B.A., J.D., Professor of Law
Naomi Harlin Goodno, A.B., J.D., Dean of Students, Professor of Law
Colleen P. Graffy, B.A., M.A., LL.M., Associate Professor of Law
David S. Han, B.A., J.D., Associate Professor of Law and Straus Research Professor
Michael A. Helfand, B.A., J.D., Ph.D., Associate Dean for Faculty and Research, Professor of Law and Interim Director, Nootbaar Institute of Law, Religion and Ethics
Nancy Hunt, B.A., J.D., Director, Washington DC Externship Experience and Assistant Professor of Law and Practice
Bernard James, B.G.S., J.D., Professor of Law
Douglas W. Kmiec, B.A., J.D., Caruso Family Chair in Constitutional Law and Professor of Constitutional Law Emeritus
Kristine S. Knaplund, B.A., J.D., Professor of Law
Mark Kubisch, B.A., J.D., Assistant Professor of Law
Edward J. Larson, B.A., M.A., Ph.D., J.D., University Professor and Hugh & Hazel Darling Chair in Law
Barry P. McDonald, B.B.A., J.D., 2018-2019 Straus Research Professor of Law
James M. McGoldrick, Jr., B.A., J.D., Professor of Law
Gregory S. McNeal, B.A., M.P.A., J.D., Ph.D., Professor of Law and Public Policy
Anthony Miller, B.A., M.A., J.D., Professor of Law Emeritus
Derek Muller, B.A., J.D., Associate Professor of Law
Grant Nelson, B.A., J.D., William H. Rehnquist Professor of Law Emeritus
Gregory L. Ogden, B.A., J.D., LL.M., LL.M., Professor of Law
Brittany Stringfellow Otey, B.A., J.D., Director, Pepperdine Legal Aid Clinic and Associate Clinical Professor of Law
Ronald F. Phillips, B.S., J.D., Senior Vice Chancellor, School of Law Dean Emeritus, and Ronald F. Phillips Professor of Law
Robert Popovich, B.S., M.B.T., J.D., Professor of Law Emeritus
Adjunct Faculty
The Honorable Terry Adamson
The Honorable Gregory Alarcon
Arnold Barba
Doon Baqi
John Barton
Jeffrey Belton
Jeffrey Benz
Paul E. Burns
Rebecca Callahan
Bryant Coffman
Frederick Brian Cox
Curt Cutting
Darryl Darden
Eileen Decker
David DeJute
Daniel DeWalt
Steve Dhillon
David Dowling
Leonardo D’urso
William Eddy
Jo Anne Frankfurt
Robert Goff
Dwight Golann
Marc P. Goodman
Andre Comma de Azevedo
Stacie Hausner
Gia Honnen-Weisdorn
Mark Kantor
John Khosravi
Jasper Kim
Curtis Kin
Mark Kressel
Nicholas M. Kublicki
Amber Lee
David Marlett
Christopher Melcher
Shane Michael
Frent Nibecker
Hermanshu Nigam
Alan Nissel
Sarah Nissel
William Nix
Patti L. Paniccia
Sarah Park
Brian Philpott
Amanda Pitrof
The Honorable Robert Rassp
Doug Ridley
Alexander Robbins
Shaphan Roberts
Marcelo Rosadilla
Steve Rottman
John Sharer
Selina Shultz
Donna Silverberg
David Talbot
Mark Travis
Marco Turk
Marcio Vasconsellos
Shannon Pagel Ward
Aaron White
The Honorable Alexander Williams
The Honorable Ryan Wright
Sam Wu
***