

INTERNATIONAL ASSOCIATION OF DEFENSE COUNSEL ANTITRUST POLICY

Approved by the Board of Directors on May 28, 2024

The International Association of Defense Counsel (“IADC”) conducts meetings and other events in jurisdictions throughout the world that have enacted laws to protect competition and to promote fair and free competition. The IADC performs many useful and legitimate functions, including advancing the legal profession and advocating for the defense of numerous industries and their products, services, and activities. The IADC is committed to complying with antitrust laws and at all times will act in accordance with the corresponding rules and regulations.

Antitrust violations can give rise to civil penalties, administrative fines, reputational injury, civil damage claims, and imprisonment for criminal violations. Because the IADC membership includes employees and representatives of numerous companies and other business related associations and organizations, members are prohibited from discussing certain topics with competitors including during IADC formal events and during informal side discussions. This includes companies that procure the same products or services and thus, can as well be competitors on demand markets (this includes, e.g., competition to recruit staff).

The following guidelines apply to all contacts among business competitors, whether members or invited guests, when attending IADC meetings and events to avoid antitrust violations.

DON'Ts:

- **DO NOT discuss** your company's non-public, competitively sensitive information with competitors nor agree to exchange such information.
- **DO NOT discuss** current or future pricing, discounts and other pricing components
- **DO NOT discuss** bid amounts and terms, including decisions whether to bid or not bid.
- **DO NOT discuss** output or capacity levels.
- **DO NOT discuss** limits on sales levels or sales of certain products to certain regions.
- **DO NOT discuss** customers.

- **DO NOT discuss** key contract or sale terms.
- **DO NOT discuss** salaries and wages, or limitations on hiring a competitor's employees.
- **DO NOT discuss** strategic plans.
- **DO NOT discuss** business expansion or contraction plans.
- **DO NOT discuss** planned geographic growth.
- **DO NOT discuss** refusing to do business with any competitor, customer, or company in the supply chain.
- **DO NOT discuss** agreeing to any limitations on your company's activities or independent decision-making, such as changing the way you adjust pricing or make output decisions.
- **DO NOT agree** to any standard-setting, certification, accreditation or self-regulation programs without the restrictions or programs having been approved by your own antitrust counsel.

DOs:

- **DO** review IADC meetings agendas and confirm the agenda is circulated in advance in compliance with IADC policy and that minutes of all meetings properly reflect the actions taken at the meeting.
- **DO** use best efforts to immediately end or leave any inappropriate discussions and report them to counsel for further guidance. Tell everyone why you are leaving and make sure that it is noted in the meeting minutes.
- **DO** ensure that if questions arise about the legal aspects of IADC activities or your individual responsibilities under the antitrust laws, you seek advice and counsel from your own antitrust counsel.
- **DO** use caution when interacting with competitors in informal contexts, such as business meals or as part of personal friendships between industry participants.
- **DO** consult your own antitrust counsel before beginning discussions or engaging in any activities involving competitors, including a joint venture, merger, acquisition, or contract.

- **DO** follow the written policies and procedures in your company's antitrust compliance policy.
- **DO** seek answers to any questions about IADC's antitrust policy and direct those inquiries to the IADC's President or the Executive Director/CEO.