



# **MARTINDALE CENTER**

**For the Study of Private Enterprise**

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**Barry C Harris '70**

**Principal and Board Chairman, Economists, Inc.  
Member of the Martindale Center Advisory Committee**

Dr. Harris received his B.A. in mathematics from Lehigh University in 1970 and his Ph.D. in economics from the University of Pennsylvania in 1979. He is currently a member of the Advisory Committee for the Economics Department at Lehigh University, the Board of the Martindale Center for the Study of Private Enterprise at Lehigh University, and the Investment Committee of Cape Cod Healthcare.

Dr. Harris is a former Deputy Assistant Attorney General for Economics at the Antitrust Division of the United States Department of Justice. He was also Chief of the Rail Cost & Pricing Policy Branch at the ICC and was a senior staff economist at the Antitrust Division. Dr. Harris is the Chairman of Economists Incorporated.

He has testified in numerous antitrust and regulatory proceedings that addressed issues in markets involving healthcare, insurance, computers and software, electrical power, mining equipment, natural gas pipelines, agricultural products, plastics, chemicals, petroleum products, transportation and retail sales. These matters include *In re: TFT-LCD (Flat Panel)*

*Antitrust Litigation; Stolt-Nielsen, et al. v. United States of America; U.S. v. Baker Hughes; FTC v. Tenet Healthcare; American Chiropractic Association v. Trigon Healthcare; U.S. v. SunGard Data Systems; Home Health Specialists. v. Liberty Health System; U.S. v. Mercy Health Services; Drs. Seuer and Latham v. NME; Van Waters & Rogers v. Shell Chemical Company; and [United Healthcare of Illinois v. Advocate Healthcare Network](#).*

Dr. Harris and Joseph Simons developed the concept of Critical Loss, which they first described in a 1989 article entitled Focusing Market Definition: How Much Substitution is Necessary? Critical Loss is a basic concept used to identify antitrust markets and has been incorporated into the DOJ/FTC Merger Guidelines.

Dr. Harris is also the author of Critical Loss Analysis: It's Growing Use in Competition Law; Imperfect Information, Entry and the Merger Guidelines; The Often-forgotten Role of Price-Cost Margins in Antitrust Merger Analysis; *The Merger Guidelines v. Economics: A Survey of Economic Studies*; *FTC v. Evanston Northwestern: A Change from Traditional Hospital Merger Analysis?*; The Importance of Factors Other Than Concentration in Antitrust Merger Analysis; An Economic Perspective on Recent Hospital Merger Decisions; Recent Railroad Merger Decisions: An Increased Concern About Competition; FERC's Acceptance of Market-based Pricing: An Antitrust Analysis; Balancing Efficiencies and Competition in Evaluating Hospital Mergers; and Organization: The Effect on Large Corporations.