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Ernst & Ernst v. Hochfelder
 accord, e.g., Tellabs, Inc. v. Makor Issues &
 Rights, Ltd.
 In re Worlds of Wonder Securities
 Litigation
 denied
 Dreagoux

Ernst & Ernst
 Id.
 See also
 Schreiber v. Burlington Northern, Inc.
 Santa Fe Industries, Inc. v. Green
 Id.
 Id. citing United States v. Oregon
 Packard Motor Car Co. v.
 NLRB
 v. Securities and Exchange Commission
 Aaron v. SEC
 Tellabs, Inc. v. Makor Issues & Rights, Ltd.
 Ernst & Ernst v. Hochfelder
 Ottman v. Hanger Orthopedic Group, Inc.

SEC v. Monarch Funding Corp.
 Compare
 with
 Federal Energy Regulatory Commission, 18
 CFR Part 1c: Prohibition of Energy Market
 Manipulation: Final Rule
 Id.
 Id. accord, id. citing Ernst &
 Ernst v. Hochfelder
 Id.

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IV. Particular Questions For Commenters

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A. Defining Market Manipulation

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Market manipulation shall mean knowingly using or employing, directly or indirectly, a manipulative or deceptive device or contrivance —

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 t all other transactions and practices, irrespective of their legality under the antitrust laws, that tend to increase prices relative to costs and to reduce output. *Id.* P b
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