



Ethan Glass

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Biography

Ethan Glass is Chair of Quinn Emanuel's Antitrust Investigations and Government Enforcement practice, working out of the Washington, D.C. and California offices.

CQ Magazine recently profiled Mr. Glass as an "Influencer," concluding that he "is the rare antitrust lawyer who has actual trial experience." Benchmark Litigation has ranked Mr. Glass as a "Litigation Star" in Antitrust, and described him as "noted for his rare status as someone who got trial experience while at the DoJ." Mr. Glass also was named by *Global Competition Review* to its select list of "Who's Who Legal Competition: Future Leaders – Partners" for 2017, 2018, 2019, and 2020.

He has tried cases on behalf of both plaintiffs and defendants; he has tried cases in both government and private actions; he has tried cases before both juries and judges; and he has tried cases in both federal and state courts.

Mr. Glass also represents clients before the federal courts, the Department of Justice, and the Federal Trade Commission in the agencies' reviews of mergers and alleged anticompetitive conduct. He is recognized as an expert in merger review and litigation, has obtained clearance for mergers before both agencies, and has been selected as a testifying expert on United States merger review and litigation issues (which are often quite different from civil antitrust litigation).

In 2015, Mr. Glass was the lead lawyer on behalf of the United States in the successful trial and litigation blocking the merger of two major home appliance manufacturers, which was one of the

largest and highest-profile merger challenges ever brought to trial in the United States. (The trial was covered regularly by the national and business press, including numerous articles in *The Wall Street Journal*.)

In 2014, Mr. Glass was one of the lead lawyers in the successful trial of a major credit card network's anticompetitive conduct, another high-profile case widely considered to be one of the most difficult cases ever brought by the United States government under modern antitrust principles.

In addition to being a first-chair antitrust trial lawyer, Mr. Glass served for almost a decade at the Department of Justice, Litigation III Section, first as Trial Attorney, then as Assistant Chief. During this time, Mr. Glass led investigation, litigation, and trial teams on many large-scale, high profile antitrust matters. He has been the lead lawyer in matters involving many industries, including major appliances, credit cards, financial exchanges, motion pictures, music, newspapers, sports and recreation, and real estate.

Mr. Glass received a number of performance awards at the Department of Justice. He received both the Attorney General's Distinguished Service Award (the Department of Justice's second highest performance award) and the Attorney General's John Marshall Award for Trial of Litigation. And he was awarded two AAG Awards (the Antitrust Division's top performance award)—one for the credit card litigation and trial and one for the challenge to the Comcast/Time Warner merger.

Before joining the Department of Justice, Mr. Glass was a successful trial lawyer in private practice. He was one of the lead trial and litigation lawyers in a patent infringement dispute relating to the manufacture of insulin-like growth factor-1. That case resulted in a jury verdict for Mr. Glass's client after a three-week trial. Mr. Glass also was a member of the trial team in a four-month antitrust class action jury trial in Iowa state court alleging monopolization of markets for PC operating systems and productivity applications software.

At Quinn Emanuel, Mr. Glass represents clients on all types of civil and criminal antitrust issues.

Notable Representations

- Lead trial, litigation, and investigation attorney in *U.S. v. Electrolux/General Electric*. Obtained a victory for the United States after a four-week antitrust trial in federal court when the parties abandoned the proposed merger.
- One of the lead trial and litigation attorneys in *U.S. v. American Express*. Obtained a victory for the United States after a seven-week antitrust trial in federal court.
- Lead investigation attorney in ASCAP, BMI, and Paramount decree matters.

- Lead investigation attorney in a lengthy antitrust investigation challenging NCAA rules limiting athletic scholarships to one year-at-a-time and five years total. Obtained a victory after NCAA repealed rules.
- One of the lead trial and litigation attorneys in *Genentech v. Insmmed*. Obtained a victory for Genentech after a four-week patent infringement jury trial in federal court.
- Trial team member in *Comes v. Microsoft*. Obtained a victory for Microsoft after a four-month antitrust trial in state court when Microsoft and the class settled.
- Lead trial attorney in *Mercy Services v. Richards*. Obtained a victory for Mr. Richards when the case settled during trial in state court.
- Lead trial attorney in *Lettner v. Time Warner Cable*. Obtained a victory for Time Warner Cable after a short trial in state court.
- Lead appellate attorney in *Ashcroft v. Sallehi*. Obtained a victory for Mr. Sallehi after a full briefing and argument before the United States Court of Appeals for the Ninth Circuit.

Practice Areas

- Antitrust and Competition
- Energy Sector Disputes
- Investigations, Government Enforcement & White Collar Criminal Defense Practice
- Life Science: Pharmaceutical Patent Litigation
- Life Science: Pharmaceutical Antitrust Litigation

Education

University of Minnesota Law School

(J.D., *magna cum laude*, 2001)

Dean's List with "A" Average

Journal of Global Trade:

Executive Editor

Civil Litigation Clinic:

Director

The University of Arizona

(B.A., Political Science and Mathematics, 1997)

Admissions

- The State Bar of California

- The District of Columbia Bar
- United States Courts of Appeals:
 - Fourth Circuit
 - Sixth Circuit
 - Eighth Circuit
 - Ninth Circuit
 - Federal Circuit
- United States District Courts:
 - Central District of California
 - Northern District of California
 - District of Columbia
 - District of Minnesota
 - Western District of Michigan

Prior Associations

United States Department of Justice, Antitrust Division, Litigation III Section:

Assistant Chief, 2014-2016

Trial Attorney, 2007-2014

Heller Ehrman LLP:

Associate, 2004-2007

Law Clerk to the Hon. Fern M. Smith:

United States District Court, Northern District of California, 2004

Robins, Kaplan, Miller & Ciresi LLP:

Associate, 2002-2003

Awards

Named A Future Leader in Competition by *Who's Who Legal*, 2017-2021

Ranked a Litigation Star in Antitrust by *Benchmark Litigation USA*, 2018 and 2021

Ranked a National Practice Area Star in Antitrust by *Benchmark Litigation USA*, 2017

Selected a Future Leader by *GCR*, 2017-2018

Selected to receive the Attorney General's John Marshall Award for Trial of Litigation for Outstanding Performance in Antitrust Litigation

Publications and Lectures

“The Trial Against General Electric’s Sale of Its Appliance Business to AB Electrolux,” XVI:2 *The Threshold 3* (Spring 2016).

Plaintiff’s Counsel, ABA Antitrust Spring Meeting Mock Trial (2016).

Instructor, various Department of Justice-wide and Antitrust Division courses (2007-2016).

Presenter, U.S. competition laws to Chinese government delegation (2010).

Composition Instructor, University of Minnesota Department of English (2000-2001)