

Ethan Glass

Partner



eglass@cooley.com

+1 202 776 2244

Washington, DC

Antitrust Litigation and Enforcement

Antitrust and Competition

White Collar Defense and Investigations

Technology

Life Sciences

Healthcare

Global Cartel Defense

CooleyREG

Ethan is chair of Cooley's antitrust and competition practice group. He leads the representation of clients on numerous types of civil and criminal antitrust matters before the courts, Department of Justice (DOJ), Federal Trade Commission (FTC) and state attorneys general. He is most recognized for his litigation and trial skills, and he has tried cases on behalf of plaintiffs and defendants, in government and private actions, before juries and judges in federal and state courts, most often serving in a lead role. From 2022 to 2024, for example, Ethan was engaged by clients to litigate and try a half-dozen matters, including a successful jury trial in 2022.

Ethan has represented myriad clients in every type of competition issue. His recent representative matters include:

- Successfully defended Horizon Therapeutics against the FTC's first litigated challenge to a pharmaceutical merger in more than a decade, clearing the path to close one of the biggest deals of 2023
- Secured a summary judgment victory in a high-stakes case brought against the National Association of Realtors (NAR) by REX claiming \$1 billion in harm; NAR's motion for summary judgment was granted, and NAR was removed as a party in the suit
- Represented NAR, where a US district court judge invalidated DOJ's use of a civil investigative demand (CID) in an antitrust investigation; the basis for the decision invalidating the CID was that DOJ was bound by its agreement to close investigations into NAR – this powerful decision established a new avenue for companies to respond to DOJ antitrust investigations and created the first true check on DOJ's antitrust authority, ensuring a level playing field for entities targeted by DOJ
- Obtained nationwide release for NAR and its members in multiple class actions seeking billions of dollars in damages
- Achieved victory for a major healthcare company in a jury trial where the plaintiff sought \$1 billion
- Persuaded antitrust regulators to approve one of the largest technology mergers of all time
- Won dismissal of several cases against technology and healthcare clients
- Led a trial on standing that resulted in dismissal of claims exceeding \$1 billion
- Successfully advocated on behalf of clients before antitrust regulators in criminal and civil conduct investigations

Ethan has deep experience in the most complicated and unsettled aspects of antitrust law and has successfully represented clients in those emerging areas of enforcement. Another example of his unique experience is that he is one of only two lawyers to argue an antitrust matter before the full International Trade

Commission (ITC).

Ethan also is recognized for his experience in merger review litigation, which requires particular knowledge, as it presents different strategic, procedural and substantive issues than civil litigation. He is regularly consulted on these issues and served as a testifying expert witness for one such matter.

Before he reentered private practice, Ethan was a leader in more than 10 DOJ enforcement actions, including some of the most complicated and high-profile matters. For example, he was the lead lawyer in 2015 on behalf of the US in the successful trial and litigation blocking the merger of two major home appliance manufacturers, which was one of the largest high-profile merger challenges ever brought to trial in the US. He also was one of the lead lawyers in the successful trial of a major credit card network's anticompetitive conduct in 2014, widely considered to be one of the most difficult cases brought by the US government under modern antitrust principles.

In addition to being a first-chair antitrust trial lawyer, Ethan has been a manager, serving as assistant chief of the DOJ's Litigation III Section. Before joining Cooley, Ethan was chair of a US-based international law firm's antitrust investigations and government enforcement practice.

Ethan has been recognized by industry observers since 2017. He was highlighted as Litigator of the Week by The American Lawyer's Litigation Daily and profiled as an "influencer" by CQ Magazine, which noted him as "the rare antitrust lawyer who has actual trial experience." Benchmark Litigation also ranked Ethan as a National Practice Area Star and Litigation Star in competition/antitrust, citing "his rare status as someone who got trial experience while at the DOJ." Additionally, Lawdragon has recognized Ethan as one of the 500 Leading Litigators in America and one of the 500 Leading Global Antitrust & Competition Lawyers. Since 2023, four matters he has led have been shortlisted for Global Competition Review (GCR) Awards in both merger and non-merger categories.

Ethan received notable recognitions at the DOJ – including the Attorney General's Distinguished Service Award (the DOJ's second-highest performance award) and the Attorney General's John Marshall Award for Trial of Litigation (the DOJ's highest award for performance in litigation). He's also a two-time recipient of the Assistant Attorney General Award – the Antitrust Division's top performance award – first for the credit card network litigation and trial, and then for the challenge to the Comcast/Time Warner Cable merger.

Education

University of Minnesota Law School
JD, 2001

University of Arizona
BA, 1997

Admissions & Credentials

California

District of Columbia

Court Admissions

US Court of Appeals for the Third Circuit

US Court of Appeals for the Fourth Circuit

US Court of Appeals for the Sixth Circuit

US Court of Appeals for the Ninth Circuit

US Court of Appeals for the Federal Circuit

US Court of Appeals for the District of Columbia Circuit

US District Court for the Central District of California

US District Court for the Northern District of California

US District Court for the District of Columbia

US District Court for the District of Minnesota

US District Court for the Northern District of Illinois

US District Court for the Western District of Michigan

Rankings & Accolades

Benchmark Litigation USA: Litigation Star in Antitrust (2018, 2021, 2025)

Lawdragon: 500 Leading Litigators in America (2025)

Who's Who Legal: Future Leader in Competition (2017 – 2021)

Global Competition Review: Future Leader (2017 – 2018)

Benchmark Litigation USA: National Practice Area Star in Antitrust (2017)

Attorney General's Distinguished Service Award

Attorney General's John Marshall Award for Trial of Litigation

Assistant Attorney General Award (twice)