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Gibson Dunn Wins Dismissal of Antitrust Lawsuit Against Chevron

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Gibson Dunn won a dismissal of an antitrust lawsuit filed by Michigan Attorney General Dana Nessel against our client Chevron, along with BP, Exxon, Shell, and the American Petroleum Institute (API).

This had been the first major attempt by a state attorney general to bring climate litigation under an antitrust theory. The lawsuit claimed that major oil companies and API had colluded since the late 1970s to suppress renewable energy and EVs in order to charge supracompetitive prices for gasoline and heating fuel in violation of both the Sherman Act and the Michigan Antitrust Reform Act. Michigan sought treble damages, an injunction, disgorgement, and civil penalties for everything from energy overcharges to asserted climate-related harms like higher insurance premiums, depressed home values, and the state's own climate-mitigation costs.

Gibson Dunn formulated the strategy of making antitrust standing the lead argument in the joint motion to dismiss the lawsuit. U.S. District Judge Jane Beckering agreed, dismissing the entire case on antitrust-standing ground without oral arguments.

The Gibson Dunn team included partners Ted Boutrous, Daniel Swanson, Samuel Liversidge, Joshua Dick, and Christopher Dusseault and associates Sarah Akhtar, Zac Copeland, and John Matthew Butler.

Related Capabilities

Antitrust and Competition

Litigation

Related People

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