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TOP WOMEN LAWYERS 2026



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Rachel S. Brass is co-chair of Gibson, Dunn & Crutcher LLP's antitrust and competition practice group. She joined the firm in 2003 and brings clients a deep command of antitrust law, sound judgment and exceptional service. Of special value is her strategic view of the field. "The current antitrust landscape is dynamic, unsettled and facing more immediate potential change than in a long time," she said.

That's because powerful new players have gotten into the act. "There's been an incredible growth of state-level enforcement that has come in a number of ways. States are currently very active in investigating and litigating, forming coalitions to challenge technology mergers, for example," Brass said.

It's happening across the political spectrum. "The attorneys general of Texas and Michigan, one a Republican and the other a Democrat, are both involved in cases pursuing novel theories of aggressive antitrust enforcement," Brass said.

In Michigan, the attorney general is attempting to use antitrust laws to sue companies to promote the use of renewables over fossil fuels, Brass pointed out. Meanwhile, in Texas, Attorney General Ken Paxton is suing asset managers in the financial sector for participating in climate-related efforts that allegedly lead to reduced coal output.

Brass represents Daimler Truck North America, the largest manufacturer of Class 8 semitrailer vehicles in the U.S. and Canada, in litigation after the Nebraska Attorney General and two private industry groups sued Daimler and three of its competitors, and an industry group under Nebraska's antitrust laws.

The case arose out of California's Clean Truck Partnership, an agreement forced on the Class 8 truck industry by the California Air Resources Board. The Federal Trade Commission investigated the same agreement.

"The California Air Resources Board says follow our law. The Clean Air Act says you can't," Brass explained. As lead counsel to Daimler in both matters, Brass negotiated a same-day resolution through which the litigation was dismissed, and the investigation was closed in exchange for Daimler's agreement that the Clean Truck Partnership is void. Daimler agreed to no wrongdoing and has agreed to pay nothing in exchange for ending the litigation and investigation. *State of Nebraska et al. v. Daimler Truck North America et al.*, D15CI240000570 (Dist. Ct. of Lincoln Co., Neb.).

"This is all tied to the client's need for clarity," Brass said. "You can't drive in opposite directions. How do you find the road?"

She added: "I've been doing antitrust law for 25 years. For 20 years, non-lawyers said, 'What?' Now it's on the front page, a tool to be exploited by states who see that this is perhaps a moment to push the direction the law is headed."