



Office of Commissioner  
Melissa Holyoak

UNITED STATES OF AMERICA  
**Federal Trade Commission**  
WASHINGTON, D.C. 20580

**Statement on the Recusal of Commissioner Melissa Holyoak**  
***Amicus Brief in United States et al. v. Google LLC, FTC Matter No. P034101***

May 9, 2025

Today, the Commission filed a brief as *amicus curiae* in *United States v. Google LLC*, which was consolidated with *Colorado v. Google LLC*.<sup>1</sup> In that consolidated litigation, both the Department of Justice and the plaintiff states alleged that “Google has unlawfully used [its] distribution agreements to thwart competition and maintain its monopoly in the market for general search services and in various online advertising markets.”<sup>2</sup>

Unfortunately, I could not participate in the Commission’s vote to file an *amicus* brief for the remedies phase in the consolidated litigation against Google. Based upon federal ethics guidelines,<sup>3</sup> I am recused from this matter because the state of Utah was a lead state in the consolidated litigation, and in my role as the Solicitor General of Utah, I directed and oversaw Utah’s involvement in that litigation.

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<sup>1</sup> Br. Fed. Trade Comm’n as Amicus Curiae in Supp. of Pls., *United States v. Google*, No. 20-cv-3010-APM (D.D.C. May 9, 2025).

<sup>2</sup> *United States v. Google LLC*, 747 F. Supp. 3d 1, 32 (D.D.C. 2024).

<sup>3</sup> See, e.g., 5 C.F.R. § 2635.502(a)(2); MODEL RULES OF PROF’L CONDUCT r. 1.11(d)(2)(i) and cmt. 5; U.S. Office of Government Ethics, Guide to Drafting Nominee Ethics Agreements, at 36 (2020) (“I understand that any authorization will not allow me to participate ... in any particular matter involving specific parties in which I previously participated as Director of the Wyoming State Police.”).