

John Villafranco Quoted on Law.com Regarding FTC Court Challenges

April 9, 2025

Partner [John Villafranco](#) was quoted in “With Only Two Commissioners, FTC Actions Could Face Court Challenges: Antitrust Experts” on Law.com. The article discusses the possibility of challenges to FTC actions taken after President Trump’s recent firing of both Democratic commissioners, which left the Commission with just two commissioners. The article references Villafranco's previous article, “Can A Single FTC Commissioner Constitute A Quorum?” The paper argues that both 1-0 and 2-0 FTC votes are susceptible to challenge.

“There are reasons to believe that a court would agree that a 1-0 vote could not constitute a 'majority' of the commission,” Villafranco said. “While we have seen 2-0 votes, I have not seen a 1-0 vote, nor am I aware of any precedent that would establish such a vote as a valid exercise of commission authority.”

Read the full article [here](#). Subscription required.