

# Winston Wins Ninth Circuit Reversal and Class Certification in Swimmers' Antitrust Case, Securing a Global-Impact Settlement with World Aquatics

JANUARY 19, 2023

Winston represents a class of professional swimmers alleging World Aquatics (WA) violated antitrust laws by blocking their participation in the competing International Swimming League. After WA won summary judgment, Winston successfully appealed, arguing the court applied improper antitrust standards and wrongly denied certification of a damages class. In September 2024, the Ninth Circuit reversed both rulings, reviving all claims and issuing a *landmark ruling on the possible application of the per se rule or quick look review to sports-associations rules*. *Am Law* awarded Winston “Litigator of the Week” Runner-Up recognition for the win. In November 2024, the Ninth Circuit denied rehearing. In April 2025, the district court certified a damages class.

On September 8, 2025, the swimmers moved for preliminary approval of their settlement with WA in advance of the January 2026 trial date. The settlement provides for a permanent injunction ensuring that swimmers will have competitive options in the future without any interference from World Athletics and providing the swimmers with more than 100% of their claimed damages.

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