

Why It Took A Trial For The NASCAR Antitrust Case To Settle

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Barbara Sicalides, a partner in Troutman Pepper Locke’s Business Litigation Practice Group, was quoted in the December 23, 2025 *Law360* article, [“Why It Took A Trial For The NASCAR Antitrust Case To Settle.”](#)

Barbara Sicalides of [Troutman Pepper Locke LLP](#) noted that what 23XI and Front Row were demanding — “compelling NASCAR to contract with plaintiffs under plaintiffs’ preferred terms,” she said — was an unusual ask, and not one that’s typically successful.

Sicalides, who knows both Kessler and Yates, called them “fierce competitors” of whoever they’re up against. Despite their different styles, she said, they “want to win.”

“Both sides are excellent negotiators and neither side is timid about going to trial,” she said.

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By the time the NASCAR antitrust trial rolled around, Sicalides noted it would have been unlikely that either party was setting aside much time for settlement talks.

“You don’t want the lead players to be busy trying to negotiate a settlement. You want them to be busy getting ready for the war that is going to happen in the courtroom,” she said.

“It seems a little crazy, right? Because you put in all the time and everything and cost and spent all the money to get here,” Sicalides said. “But, at the same time, the stakes are so high for parties in these cases that they just don’t want to risk leaving it to a jury.”

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Still, both Lowery and Sicalides were confident the case would settle — it was just a matter of when.

Sicalides surmised the personal investment, pride and legacy of the France family added another layer to the negotiations, making it harder to reach a deal than if it were purely a mathematical equation.

“I know that sounds silly,” she said, “but those things do matter, and they do change the way the process works.”

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