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Former Chief Environmental Lawyer at DOJ Joins Morgan Lewis

—Ron Tenpas, whose role at the Justice Department included matters involving air and water laws and cap-and-trade systems for reducing pollution, will focus his practice on environmental counseling and litigation—

WASHINGTON, D.C., March 2, 2009: Morgan Lewis today announced the addition of Ronald J. Tenpas—most recently the U.S. Department of Justice’s top environmental attorney—to the firm’s Litigation Practice.

As Assistant Attorney General for the Environment and Natural Resources Division (ENRD) from 2007 to 2009, Mr. Tenpas oversaw 400 Justice Department attorneys conducting litigation involving more than 150 environmental and natural resource statutes. He will be based in Morgan Lewis’s Washington, D.C. office.

“Across virtually all industries, our clients are facing historic challenges in a changing global environment,” said James D. Pagliaro, leader of Morgan Lewis’s Litigation Practice. “Ron’s significant government background will be an immense asset as we help clients adapt to evolving environmental enforcement, capitalize on new opportunities involving sustainability, and have a voice in policy development.”

At the ENRD, Mr. Tenpas oversaw and, in some instances, personally argued cases covering a wide variety of issues that involved government agencies, the military, and private industry. He also advised high-level government officials on environmental litigation and authored documents guiding the work of Justice Department attorneys (*see attached representative listing of matters handled under Mr. Tenpas’ tenure*).

Mr. Tenpas will focus his practice at Morgan Lewis on environmental litigation and counseling on a full spectrum of matters, among them government efforts to reduce emissions linked to climate change, which may incorporate both market-oriented and traditional control methods. He will assist clients with environmental enforcement actions and proceedings before such agencies as the Environmental Protection Agency, the Department of the Interior, and the Department of Energy. In addition, he will work on white collar matters involving environmental, healthcare, and Foreign Corrupt Practices Act issues, among others.

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Mr. Tenpas served a total of 12 years in the Justice Department. He worked as Assistant United States Attorney, Associate Deputy Attorney General, and U.S. Attorney for the Southern District of Illinois before becoming Assistant Attorney General for the ENRD. Both of the latter positions required Senate confirmation.

The addition of Mr. Tenpas brings Morgan Lewis's contingent of partners with elite government backgrounds to nearly 50. The firm's agency alumni, many of whom reside in the Washington, D.C. office, also include former senior attorneys at the Justice Department, the Internal Revenue Service, the Treasury Department, the Securities & Exchange Commission, the Department of Energy, and the National Labor Relations Board.

Early in his legal career, Mr. Tenpas was a law clerk to Chief Justice William H. Rehnquist, after first clerking for U.S. District Court Judge Louis H. Pollak in the Eastern District of Pennsylvania. Mr. Tenpas is a graduate of the University of Virginia School of Law, where he was editor-in-chief of the *Virginia Law Review* and named to the Order of the Coif. He received a post-graduate B.A. from Oxford University, Balliol College in 1987, where he was a Rhodes Scholar. Previous to that, he received a B.A., with high honors, from Michigan State University.

Mr. Tenpas is admitted to practice in Florida and Maryland.

About Morgan, Lewis & Bockius LLP

Morgan Lewis is an international law firm with more than 1,500 lawyers in 22 offices located in Beijing, Boston, Brussels, Chicago, Dallas, Frankfurt, Harrisburg, Houston, Irvine, London, Los Angeles, Miami, Minneapolis, New York, Palo Alto, Paris, Philadelphia, Pittsburgh, Princeton, San Francisco, Tokyo, and Washington, D.C. For more information about Morgan Lewis, please visit www.morganlewis.com.

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As Assistant Attorney General for ENRD, Mr. Tenpas:

- Supervised and personally delivered appellate arguments that secured the Navy's use of sonar in training exercises (*Winter v. Natural Resources Defense Council*).
- Supervised the Justice Department's enforcement of government cap-and-trade acid rain regulations.
- Oversaw numerous cases in which federal actions were challenged citing climate change concerns (e.g., mileage standards for sport utility vehicles, Export-Import Bank loans, power plant licensing actions, and oil and gas leases on federal lands).
- Advised the Secretaries of Interior and Commerce on Endangered Species Act regulation revisions related to global warming.
- Advised White House and Cabinet officials on the federal government's litigation risks related to a broad range of environmental statutes.

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- Supervised major settlements under the Superfund program.
- Oversaw a variety of settlements related to pipeline and refinery operations.
- Oversaw criminal and civil Clean Air Act and Clean Water Act matters involving numerous industries.
- Supervised Justice Department efforts to implement new laws involving the importation of illegally harvested timber and related wood products.
- Managed the litigation and settlement negotiations of the largest government environmental claim ever asserted in a bankruptcy proceeding, involving more than \$3 billion of environmental damage and cleanup claims.
- Authored controlling guidance documents for Justice Department environmental lawyers on the use of environmental projects in the resolution of corporate criminal cases and on the conduct of parallel proceedings involving both civil and criminal components.
- Served as the Department's representative on legal rules committees that prepared changes to the federal Rules of Evidence designed to ease and shorten privilege review occurring in the federal civil and criminal discovery process (Rule 502).