

## Environmental Group Of The Year: Morgan Lewis

By **Carolina Bolado**

*Law360, Miami (January 24, 2018, 3:58 PM EST)* -- Morgan Lewis & Bockius LLP's reputation for being a go-to firm for high-stakes environmental litigation continued in 2017, as the firm represented Southern California Gas Co. in coordinating a response to a natural gas leak in Aliso Canyon and succeeded in beating back claims that fracking by Range Resources Corp. led to the contamination of a Pennsylvania water supply, landing the firm a spot among Law360's Environmental Groups of the Year.

The firm is defending SoCalGas in more than 280 lawsuits — including 25 class actions, seven derivative suits, four government actions and a criminal proceeding — related to the massive methane leak discovered in Aliso Canyon in October 2015.

In 2017, Morgan Lewis environmental attorneys defeated Los Angeles County's attempt to block the restarting of the injection of methane gas into the Aliso Canyon facility, which the firm said was necessary to the area's energy infrastructure. The group also won an appellate decision ruling that plaintiffs cannot pursue claims for damages for purely economic loss.

In addition, the firm went on the offensive in the case this past year by filing a complaint in federal court seeking to establish federal preemption regarding the regulation of natural gas storage facilities.

James Dagna, a practice group leader in Los Angeles, called the Aliso Canyon matter a “classic environmental disaster case.”

“It's massive in size, both as to the number of parties, the number of issues and the number of separate lawsuits,” he said. “There are very few firms in the nation that could pick up a case like this, manage it, defend it and hit all the areas of dispute.”

The environmental group has always been a focus for Morgan Lewis, but it has become more important over the last few years after the firm combined with Bingham McCutchen LLP in 2014 and merged two important and complementary environmental groups.

Dagna, who came to Morgan Lewis in the Bingham merger, said his former firm had substantive experience on the regulatory side, but the addition of the Morgan Lewis group gave them an “incredibly deep bench in litigation.”



“It just put the bow around the box of the environmental practice,” he said.

The two groups fit together geographically as well, with Bingham bringing a stronger west coast presence to the group to complement Morgan Lewis' east coast focus.

“We've certainly bolstered our overall bench,” John McGahren, a practice group leader in Princeton, New Jersey, said. “The combination of the two practices has been fairly seamless and very complementary.”

Today, there are about 40 attorneys in the group based in the San Francisco Bay area, Los Angeles, New York, Princeton, Philadelphia, Pittsburgh, Washington, D.C., and Houston, according to the firm. Dragna said there are currently no gaping holes the team needs to fill, but added that the group is always open to new opportunities.

“If there's an opportunity available, we have the support of the firm to complement the group in that acquisition,” he said.

The Aliso Canyon matter is far from the firm's only work in the natural gas industry. In May, the Morgan Lewis team got another win for its client Range Resources Corp., when the Pennsylvania Supreme Court declined to hear the appeal of landowner Loren Kiskadden, who was trying to revive his claims against Range Resources that hydraulic fracturing, or fracking, activity contaminated his private water supply.

McGahren said the win, which came after a 20-day bench trial, is an example of some of the excellent work done by the firm's litigation partners in Pittsburgh.

“It was one of the early cases of first impression involving whether or not fracking causes water contamination,” he said. “It was a very highly watched case.”

The firm has also been tapped by Anadarko Petroleum to represent the company in three lawsuits in California seeking damages for alleged climate change impacts of oil and gas development. The suits, filed by the City of Imperial Beach, Marin County and San Mateo County, name more than 30 oil and gas companies as defendants.

“Each of these cases seeks damages much like product liability cases,” Dragna said. “They're novel arguments. They're very significant cases to the industry, and we are involved in all of them.”

In addition, the firm is focusing a number of resources on the West Lake Landfill in St. Louis, Missouri, a Superfund site that has been identified by U.S. Environmental Protection Agency administrator Scott Pruitt as a new top priority. Morgan Lewis is also working with clients in several other Superfund sites, like the Sherwin-Williams site in Gibbsboro, New Jersey, the Portland Harbor site in Oregon and the Lower Passaic River site in New Jersey.

--Editing by Alyssa Miller.