

Winston & Strawn Expands Environmental Litigation Team With Addition Of Former Senior DOJ Official Jonathan D. Brightbill

MAY 13, 2021

WASHINGTON, May 13, 2021 -- Winston & Strawn LLP is pleased to announce the addition of Jonathan D. Brightbill as partner in the firm's Washington, D.C., office and member of the firm's Litigation and White Collar, Regulatory Defense, and Investigations Practices.

Jonathan represents public and private companies, corporate officers, and other individuals across white collar, regulatory defense, and government and internal investigation matters, as well as complex commercial disputes. His commercial litigation experience encompasses environmental and regulatory litigation, business disputes, false advertising, consumer protection, and extensive class action and citizen suit defense work, as well as intellectual property such as patent, trademark, and trade secret disputes.

Jonathan served as Acting Assistant Attorney General, Environment & Natural Resources Division ("ENRD"), at the United States Department of Justice. As the nation's lead environmental litigator and criminal and civil law enforcement official, Jonathan led ENRD's 425 lawyers, handling 6,500 active matters, with an annual budget of \$150 million.

Jonathan argued many of the government's most significant appellate and district court matters during his service at the Department. This included the Navigable Waters Protection Rule and Clean Water Rule Repeal (10th Cir., district courts), the Affordable Clean Energy Rule and Clean Power Plan Repeal (D.C. Cir.), defense of EPA actions on pesticide tolerances under FIFRA and the FDCA (9th Cir. en banc), and numerous others. His extensive experience at the intersection of litigation and policy development is invaluable for advising companies on navigating increasingly complex environmental regulation and federal enforcement actions.

"Winston's reputation as a trial and appellate firm is unparalleled, and I am proud to join this distinguished group of renowned litigators and transactional lawyers. I am also joining the team at a pivotal moment for environmental law," said Jonathan. "Beyond increased commitment to climate regulation and continued momentum towards adopting actionable Environmental, Social and Governance (ESG) principles, corporations can expect increased federal regulation and enforcement on air emissions, discharges to waters and land, and more chemical and pesticide regulation, including limitations on 'forever chemicals' like PFAS."

Jonathan directed the litigation and briefing of scores of cases in federal appellate and district courts around the country, covering all of the major environmental and natural resources statutes, including the Clean Air Act, the

Clean Water Act, FIFRA (pesticides), FDCA (food safety), TSCA (toxics), CERCLA (land remediation), RCRA (waste), Endangered Species Act, National Environmental Policy Act, Federal Land Policy and Management Act, and numerous other land and resource management statutes.

“We’re seeing a combined effort from both the public and private sectors to raise the bar on environmental compliance and sustainability,” said David Rogers, managing partner of Winston & Strawn’s Washington, D.C. office. “Jonathan’s background is ideal to address these complex legal matters and we look forward to his contributions.”

Jonathan provides guidance on the most significant environmental compliance issues facing companies today, including:

- Criminal and civil enforcement of federal environmental law supported by increased funding
- Regulation, litigation, and consultative work regarding climate change and air emissions
- Environmental Protection Agency regulation of pesticide use and the labeling and use of potentially toxic chemicals by manufacturers in numerous sectors, including related citizen suits, mass torts, and class action litigation
- Increased momentum from the federal government against energy produced via fossil fuels and the infrastructure that supports it, as well as uncertainty regarding the production and sourcing of materials to produce renewable energy
- Increased focus on the maritime sector, including oversight of potentially damaging discharges into navigable waters
- Regulatory and policy changes in the automotive sector, particularly regarding emissions and safety regulations

“Jonathan’s addition to the team in D.C. speaks directly to the diversity and complexity of issues we are managing for our existing and expanding client base,” said Winston & Strawn Chairman Tom Fitzgerald. “Jonathan was the principal federal litigator for environmental matters and served amongst the most senior policy and decision-makers at the Department of Justice—experiences that will be invaluable to companies as they navigate changes to compliance and enforcement in environmental, maritime, automotive, manufacturing, and other sectors.”

This expansion of Winston’s D.C. office follows the recent additions of litigation partner and CFIUS specialist Tyler McGaughey, M&A partner Kathleen Blaszak, appellate partner Andrew Tauber, and tax partners James Mastracchio and Susan Seabrook.

Winston & Strawn LLP is an international law firm with 15 offices located throughout North America, Asia, and Europe. More information about the firm is available at www.winston.com.

3 Min Read

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Thomas P. Fitzgerald



David Rogers



Jonathan D. Brightbill