

MVP: Pillsbury's Matthew Morrison

By Clark Mindock

Law360 (September 14, 2021, 2:08 PM EDT) -- Matthew Morrison of Pillsbury Winthrop Shaw Pittman LLP represented the Renewable Fuels Association before the U.S. Supreme Court and helped Valero Energy Corp. negotiate a \$2.85 million settlement with the U.S. Environmental Protection Agency over refinery pollution, earning him a spot as one of Law360's 2021 Environmental MVPs.

HIS BIGGEST ACCOMPLISHMENT OF THE YEAR:

Morrison says that the hard work he put into the Renewable Fuels Association case stands out as a key experience of the year. That case involved the EPA's Renewable Fuel Standard program, which requires a certain percentage of renewable fuels to be blended into America's transportation supply.

Before the case went to the nation's high court, Morrison argued in favor of the RFA at the Tenth Circuit, where he convinced the court that if there is a gap in time — or a period where a refiner is not operating — during a refiner's exemption to the standard, then the refinery can't receive an extension that is designed to give small refineries leeway. On appeal, the Supreme Court ultimately sided with the refineries on one portion of the Tenth Circuit's decision, but largely left the lower court's decision in place.

While not a sweep, Morrison said that the RFA trusting him to take the case to the Supreme Court — his first time there — meant a lot and gave him some stellar experience.

"It was my first time before the Supreme Court. I had advised the folks at the Renewable Fuels Association that there was an entire bar set up around Supreme Court practice ... but I guess they had faith in me based on some wins that I was able to deliver for them, and they said, 'You're the guy for us and you've won enough races, so we're sticking with the horse we know,'" he said.

HIS PROUDEST MOMENTS OF THE YEAR:

Morrison said that beyond the Supreme Court experience, he also is very proud of the settlements he was able to bring in for his energy clients over the past year. That includes the Valero consent decree, among others.



He said that the Valero case — in which the company was accused of violating certain gasoline volatility standards and some reporting requirements — was particularly big, as it set up a template he believes other attorneys and companies may look towards in the future. The deal included a \$2.85 million civil settlement and the promise that Valero will develop and implement a companywide fuel management system to bring it in line with Clean Air Act requirements.

"As a guy who spent 22 or 23 years of his career as a civil enforcement guy at EPA and [the U.S. Department of Justice], I felt particularly proud to be a part of a settlement that advanced the ball environmentally and really went beyond what was just required to be done legally and did more," he said. "I was working with a client that was willing to do that and willing to go above and beyond to work with the government to look at programs it wanted in place to incentivize refiners and other oil companies to do the same."

WHY HE IS AN ENVIRONMENTAL LAWYER:

While many of his environmental attorney friends might say they had a childhood interest in the natural world, Morrison came across the field as something of an accident, he said.

A chemical engineer by training, Morrison said he did what a lot of folks with that background in the legal realm do — he went into patent law. When his family moved to Louisville, Kentucky, there wasn't a ton of patent work to do, but there was a lot of environmental work to be done, so he joined a firm working on environmental issues and fell in love, he said.

"I just immediately felt a passion for the issues. It was an intersection of policy, technology and law that I just love," he said. "I fell into it and I'm glad I did. It's funny how life gives you those twists and turns. I didn't have that epiphany as a young boy, but I certainly did have one and I got into it."

HIS ADVICE FOR JUNIOR ATTORNEYS:

Morrison said that a law degree is a powerful tool and provides plenty of paths to follow.

He said his advice is to figure out how to apply that knowledge in a range of situations — including government work, firm work and everything in between. Of course it's not practical to try everything once, Morrison said, but it helps to get your feet wet in a few different places to have a broader set of skills and experience.

"I think I'm very grateful to have worked in different places for the government and in private practice, and I would recommend that every junior attorney think about ways to take on interesting and challenging work earlier, even if they think they want to ultimately end up in a firm or wind up in-house," he said.

— As told to Clark Mindock

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