MATTHEW Z. LEOPOLD

(b) (6)

EXPERIENCE

Carlton Fields Jorden Burt, P.A. — Tallahassee, FL
Of Counsel — Mar 2015 – Present

- Attorney focusing in environment, energy, water law, and litigation. Leveraging 10 years of collective state and federal government experience to assist clients with legal disputes, regulatory concerns, and public policy challenges across a wide range of issues.
- Specialize in federal and state administrative cases, federal and state enforcement actions, natural resource matters, and pollution cleanup issues, and electric utilities.
- ***Florida v. Georgia***: currently representing the State of Florida in an Original Action before the U.S. Supreme Court seeking an equitable apportionment of the waters of the Apalachicola-Chattahoochee-Flint River Basin; directed numerous expert and fact witnesses through discovery, with millions of documents exchanged between the parties; appeared in a multi-week trial in Portland, Maine before a special master, from October 31 to December 1, 2016.

Florida Department of Environmental Protection — Tallahassee, FL
General Counsel — Mar 2013 – Feb 2015

- ***Management***: chief lawyer for Florida's principal environmental agency with approximately 4,000 employees; responsible for managing an office of 40 lawyers and 35 support staff that conduct enforcement of environmental laws, defensive litigation, rulemaking, legislation, client counseling, real estate transactions, and other matters; $12 million budget; responsible for and managing numerous outside counsel and experts handling complex, high profile environmental litigation.
- ***Supporting the Secretary, Governor Rick Scott, and Florida Cabinet***: acted as the primary attorney to the Department Secretary and advised the Office of Governor Rick Scott on matters within the Department's jurisdiction, including regulatory requirements and state policy for air, water, waste, and public lands; reviewed and drafted final orders issued by the Secretary, resolving challenges to Department-issued permits; acted in a quasi-judicial capacity on pending administrative challenges to Department actions; advised the Cabinet, including the Florida Attorney General's office, on issues related to state lands and litigation, including the Turkey Point Nuclear Power Plant siting project.
- ***Litigation***: directed Department policy on pending matters in state and federal courts, and administrative bodies, with a focus on water law; primarily responsible for legal strategy in the Everglades cases; personally argued before the U.S. Court of Appeals for the 11th Circuit in *U.S. v. South Florida Water Management District*; reviewed and drafted appellate briefs and conducted oral argument in Florida courts.

United States Department of Justice — Washington, DC
Environment and Natural Resources Division — Jan 2007 – Feb 2013
Attorney, Law and Policy Section

- ***BP Deepwater Horizon oil spill civil trial team***: responsible for case development in *U.S. v. BP Exploration and Production*, including written discovery, developing expert reports, defending and taking expert and fact depositions, pretrial briefing of summary judgment and *Daubert* motions, direct and cross examination development for trial.

- ***Border Fence Land Acquisition Project***: handled several eminent domain cases to acquire lands for the U.S./Mexico border fence in Texas; assisted in defending a challenge to a border fence environmental law waiver exercised by the Secretary of Homeland Security.
- ***Other litigation experience***: defensive cases challenging the Gulf of Mexico deepwater drilling moratorium; lead attorney on an Endangered Species Act case; member of a Superfund litigation team; reviewed Clean Water Act and Clean Air Act citizen suits working with litigants to address U.S. concerns; drafted successful appellate briefs and oppositions to certiorari.
- ***Legal advice to client federal agencies***: helped lead an interagency group of lawyers addressing legal questions arising in the BP Deepwater Horizon oil spill response; drafted a memo to the Secretary of the Interior on oil shale matters; worked with EPA to craft a CERCLA Order to TVA to address the Kingston coal ash spill; represented DOJ to U.S. Coral Reef Task Force; reviewed environmental executive orders and policy initiatives for legal issues; drafted memos on oil spill matters; assisted the Interagency Oceans Policy Task Force and represented DOJ to the National Oceans Council.
- ***Legislative, regulatory, and international work***: reviewed and commented on environmental legislation, client agency congressional testimony, and proposed rulemakings affecting DOJ interests; drafted legislation, such as proposed amendments the Oil Pollution Act and the Outer Continental Shelf Lands Act; worked with the State Department to address DOJ concerns in proposed international agreements on vessel pollution, fisheries, offshore drilling, and other matters.
- ***DOJ Office of Legislative Affairs***: performed a six-month detail to the Office of Legislative Affairs to assist in responding to congressional oversight requests to the administration after the Democratic takeover of Congress in 2006.
- ***Supporting the Assistant Attorney General***: drafted congressional testimony, speeches, talking points, briefing materials, and reports for the Assistant Attorney General; assisted in settlement approvals; coordinated FOIA responses.

Florida Washington Office — Washington, DC
Federal Policy Advisor – Environment — Apr 2005 – Dec 2006

- Managed the State of Florida's environmental, energy, and agricultural policy on the federal level, working with the Florida Governor and Congressional Delegation, state agencies, and federal agencies; represented Department of Environmental Protection and Water Management Districts.
- Regularly briefed members of Congress and their staff on the federal-state partnership to restore the Everglades; participated in discussions regarding the amendment of the Clean Water Act consent decree that addresses phosphorus pollution from South Florida agriculture.

White House Office of Faith-Based and Community Initiatives — Washington, DC
Legal Extern — May 2004 – Aug 2004

- Compiled weekly reports on agency implementation of Administration goals for the Initiative.
- Prepared speech materials for the Director and for the Associate Director for Legal Affairs.

MATTHEW Z. LEOPOLD

(b) (6)

EDUCATION **Florida State University College of Law** Tallahassee, FL
J.D. *cum laude* (December 2004); Book Award, Statutory Interpretation

Activities Research and Writing Editor, *FSU Journal of Transnational Law and Policy*
Member, *FSU Business Review*
Board Member, Legal Aid Foundation of the Tallahassee Bar Association
Representative, FSU Congress of Graduate Students

University of Florida Gainesville, FL
B.A. with Honors (August 1999); Major, History; Minor, Philosophy

RECOGNITION Appointed by U.S. Senator Marco Rubio to Florida Federal Judicial Nominating Commission (2015-2017)
Florida Trend Magazine, Florida Legal Elite (2015)
Assistant Attorney General's Award for Excellence for the Deepwater Horizon Litigation Team (2011)
Assistant Attorney General's Award for Excellence for Providing Legal Advice Related to the Border Fence Land Acquisition Project (2008)

AFFILIATIONS The Florida Bar (June 2005); U.S. Supreme Court Bar; Federal Court Bars for the 11th Circuit Court of Appeals, Middle and Southern Districts of Florida; Environmental Law Institute; The Federalist Society; James Madison Institute Leaders Fellowship (2015-2016); Connect Florida, Statewide Leadership Institute