

## Jeff Civins in Law360: Energy Cases to Watch in 2018

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**PRACTICES** Environmental Litigation, Energy, Power and Natural Resources, Environmental

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*Law360* quoted Haynes Boone Senior Counsel Jeff Civins in a preview of the biggest energy-related cases ahead.

There's an array of energy-related litigation that attorneys ought to have on their radar in the coming year, with battles over climate change, pipelines and solar energy imports all on the menu, *Law360* [reported](#). ...

The Ninth Circuit is mulling a bid by the federal government to short-circuit a suit brought by young people and climate activists accusing the U.S. of failing to protect future generations from climate change. An Oregon federal judge had allowed the plaintiffs to pursue their claim that the U.S. has violated their constitutional rights and those of future generations, through its complicity in the proliferation of fossil fuels despite knowledge of the climate change consequences.

At oral arguments last month, a Ninth Circuit panel appeared uneasy with granting the government's bid for a writ of mandamus, saying it could flood the court with similar requests. If the lower court case is allowed to proceed, there will be a host of compelling issues in play, attorneys say. ...

The plaintiffs still face an uphill battle to make their climate claims stick. But with the Trump administration intent on rolling back efforts to tackle climate change, the issues aren't going away — a similar suit was filed by young people and climate activists against the government in Pennsylvania federal court in November.

“Those cases raise interesting policy issues: to what extent can you require the government to do things in response to those types of claims?” Haynes Boone senior environmental counsel Jeff Civins said. “Those are intriguing, because they are so different from the typical environmental case issues.”

The case is *U.S. et al. v. U.S. District Court for the District of Oregon*, case number 17-71692, in the U.S. Court of Appeals for the Ninth Circuit. ...

Excerpted from *Law360*. To read the full article, click [here](#) (Subscription required).