

Skadden's Climate Change practice includes attorneys from multiple disciplines in our offices around the world. As the field of climate change law and strategy rapidly shifts with new policy and changes in environmental-related projects and transactions, our team is able to provide seamless representation on the most complex matters in the space. Our attorneys have significant experience in all aspects of climate change law and strategy, including: carbon finance (e.g., greenhouse (GHG) emission offset and allowance development, trading and monetization); transactional, regulatory, financial securities and compliance counseling; climate change litigation; international negotiations and policy matters; alternative and traditional energy; and intellectual property and technology issues associated with energy projects and GHG reduction and capture technologies.

Emissions Trading and GHG Emissions Reduction Projects

Skadden lawyers have represented a number of clients in connection with GHG trading activities and emission reduction projects. Our attorneys provide top-tier knowledge and experience across a range of areas, including climate legal and policy regimes (e.g., the Clean Development Mechanism and Joint Implementation processes), environmental regulation, project and structured finance, derivatives and financial instruments, insurance and tax. For example, Skadden has developed and negotiated sophisticated GHG trading contracts, in addition to representing financiers, companies and project developers in connection with GHG emissions reduction projects in Asia, Latin America and Eastern Europe.

Renewable Energy, Synfuels and Other Energy Transactions

We have advised companies in connection with complex energy-related financings and projects around the world, including work on renewable energy projects (biomass, waste-to-energy, wind, ethanol, solar, geothermal, hydropower and renewable energy credits), synthetic fuels projects (oil shale and coal-to-liquid), and carbon capture and sequestration projects. Experience in the energy area also includes reviewing environmental impact analysis, permitting and regulatory approval, and application of multilateral financial institution guidelines to projects. Skadden's clients in this area have included The AES Corporation, ArcLight Capital Partners, Bank of America, Citigroup, EDP Renewables North America LLC, Energy Answers, Energy Solutions, First Solar, Intergen and Pattern Energy.

Regulatory and Compliance Counseling and GHG Strategy

In U.S. and international climate law and policy, we have developed and implemented GHG reduction and offsetting programs, sustainability reviews and initiatives, and GHG management strategies. We also have advised on voluntary and mandatory carbon disclosure matters and defended GHG-related shareholder resolutions. Skadden's clients in this area have included energy, financial services and manufacturing sector companies.

Intellectual Property and Technology

In the intellectual property and technology sector, Skadden has handled issues associated with energy projects and GHG reduction and capture technologies. We also have significant experience in advising and assisting clients investing in, and licensing and evaluating technologies relating to, thermal and photovoltaic solar energy, building materials, biomass and waste materials conversion, refrigeration, catalysis, fuel cells, fertilizers and solids gasification, synfuels and other alternative energy technologies. Skadden's clients in this area have included Good Energies, Inc.; E.I. duPont de Nemours and Company; Citigroup, Inc.; and CF Industries.

Climate Change

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Litigation and Disputes

We have represented numerous clients in disputed matters involving environmental and energy regulatory compliance and liability issues. Our representation has included disputes involving climate change and renewable energy issues, such as representation of The AES Corporation in a New York Martin Act investigation focused on climate change disclosure and clients in general tort related litigation.

Derivatives and Financial Instruments

Additionally, we regularly represent clients in all matters of derivative and structured finance transactions and advise clients on establishing carbon funds and emissions trading businesses.