

MVP: Latham's Stacey VanBelleghem

By **Juan-Carlos Rodriguez**

Law360 (November 1, 2024, 12:02 PM EDT) -- Latham & Watkins LLP's Stacey VanBelleghem has won several important battles for clients over the past year, including defending wind energy developer Orsted A/S from green groups' challenges and helping electric vehicle companies fight challenges to federal standards on greenhouse gas emissions, earning her a spot among the 2024 Law360 Environmental MVPs.

VanBelleghem, a partner at Latham, also shaped Monsanto's successful argument before the Ninth Circuit in a case where a split panel found that California cannot enforce a rule requiring cancer labels on glyphosate, which is found in Monsanto's popular weedkiller Roundup. The panel held that the warning the state wanted conveyed the overall message that the chemical is unsafe, a message it said was "at best disputed." In addition, she represented energy provider Vistra Corp. in its \$6.7 billion acquisition of Energy Harbor to form a new company called Vistra Vision.

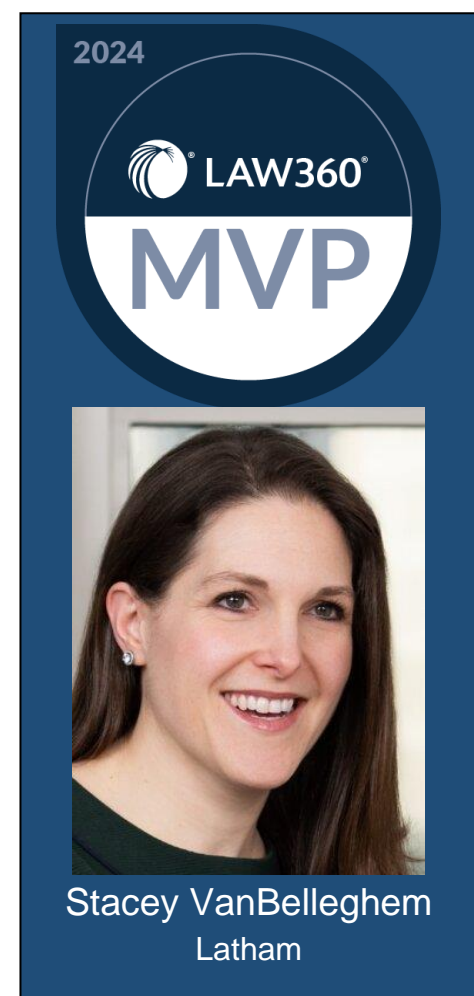
Her biggest accomplishment:

VanBelleghem said that a New Jersey federal judge's February decision to toss a challenge by a Garden State advocacy group to various authorizations for offshore wind projects, including seven authorizations for Orsted's projects — one of which has been scrapped for other reasons — was a big win for those types of projects in general.

U.S. District Judge Robert Kirsch also tossed challenges to several "incidental take authorizations," or ITAs, for the projects that were issued by the National Marine Fisheries Service under the Marine Mammal Protection Act.

"In the United States at least, this is still a somewhat nascent industry," VanBelleghem explained. "And so each of these litigation matters are important in that we're making law. We're really setting up the framework for how challenges are going to proceed. And so I think these early wins in particular are very important."

Her biggest challenge:



VanBelleghem said we are in an era of uncertainty in environmental law and regulation, with changes in administration that have created significant upheavals through new rules. And, of course, those rules are frequently challenged in litigation that leads to further uncertainty.

"All of this has made it even more difficult to practice environmental law," she said. "It's required additional planning and additional strategic thinking to help clients navigate the uncertainty ... So we obviously build on the knowledge that we have right from facing this in other contexts and in other years, and then just think through what are the potential scenarios and help the client identify the path that has the most predictability. It's not an exact science, but the years of experience help us."

Her proudest moment:

Returning to her work for Orsted, VanBelleghem said another significant win this past year was in Washington, D.C., federal district court, where environmental groups unsuccessfully sought in May to block construction of the company's Revolution Wind project, which provides power to Rhode Island and Connecticut.

She said the groups filed two motions for preliminary injunctions earlier in the year, but failed to convince the court to grant them. The company went ahead with work and in September completed installation of the project's first offshore wind turbine.

"You're immediately in emergency mode," she said of battling the separate motions. "It was really an honor to play a role in those important wins because you could really experience, in real time, how critical that was to the construction moving forward."

Why she's an environmental attorney:

For several years before VanBelleghem became an environmental attorney, she worked in historical preservation law. She said that gave her a distinct perspective on how the law was shaping work in communities and how historic preservation law, which she said she views as a component of environmental law, balances interests.

"When I started to practice law, it was just as interesting and as exciting as I thought it would be," VanBelleghem said.

"I really enjoy clients," she added. "I enjoy all of the environmental statutes involving environmental review. And you're having stakeholder outreach and stakeholder engagement and agencies weighing different interests. It's really important and interesting. And in my environmental law practice, I do continue to work on some matters that involve National Historic Preservation Act compliance."

Her advice for newer attorneys:

VanBelleghem said it's really important for attorneys, as they are starting out, to think about their audience and their goals.

"It's so important to understand the client's goals — because a win is going to look like different things, depending on what the client's needs are," she said.

"Another thing is to be mindful of the unique dynamics in each individual matter — the various players, the client, the other attorneys, joint defense counsel, opposing counsel, the personalities and

motivations. Really understanding what's driving people, I think, is key."

In a final bit of advice, VanBelleghem recommended "tons of preparation."

"There's just no substitute for just digging in, being prepared, and making sure you've done everything you can do to be prepared," she said. "Anything can come at you, and you need to make sure that you've done every possible thing you can do to be prepared."

--As told to Juan-Carlos Rodriguez. Editing by Amy French.

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