

# **Benjamin M. Leoni, Esq.**

## **RELEVANT WORK EXPERIENCE**

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**United States Department of the Interior, Office of the Solicitor**, Denver, CO **February 2020-Present**  
Attorney-Advisor – Rocky Mountain Region

- Advise federal bureaus, primarily the Bureau of Land Management, concerning all public land and environmental statutes, including NEPA, FLPMA, ESA, The Wilderness Act, WFRHBA, Taylor Grazing Act and RS 2477 roads.
- Represent BLM before administrative adjudicatory bodies including the Interior Board of Land Appeals, related to NEPA appeals, federal land trespass, federal title issues.
- Provide support to the U.S. Department of Justice in federal court litigation involving Bureau of Land Management.

**Lewis, Bess, Williams & Weese P.C.**, Denver, CO **January 2019-February 2020**  
Of Counsel – Employment Litigation and Natural Resources Litigation Departments

- Advised ski area client concerning potential prescriptive easement claims over client property to reach federal land;
- Drafted and argued numerous motions related to enforcement of non-compete agreements and trade secret theft;
- Handled all aspects of federal court employment litigation including briefing, discovery, and preliminary injunction hearings.

**Curtis Thaxter LLC**, Portland, ME **August 2011– December 2018**  
Partner – Civil Litigation Department with a focus on land use litigation

- Authored over fourteen Maine Supreme Court briefs and argued four times before the Maine Supreme Court;
- Lead attorney in several trials ranging from one day to three weeks, including one of the most complex real property lawsuits in Maine history; conducted direct and cross examination of dozens of expert and lay witnesses, drafted and argued motions and pleadings before administrative, trial, and appeals courts, responsible for all aspects of discovery;
- Lead attorney from start through appeal to Maine Supreme Court in case of first impression on behalf of the world's largest seaweed harvesting company over whether Maine's intertidal seaweed is owned by the State in trust for the public or is privately-owned by abutting land owners; worked with Maine Department of Marine Resources to develop arguments and strategy.
- Advised Maine's largest utility on environmental permitting related to utility corridor including but not limited to:
  - Federal: Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act, the Bald and Golden Eagle Protection Act,
  - State: Natural Resources Protection Act; Site Location and Development Law;
- Brought and defended claims related to regulatory and judicial takings under the Fifth Amendment;
- Successfully represented landowners in numerous zoning and land-use municipal hearings and appeals.

## **EDUCATION**

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**Vermont Law School**, South Royalton, VT **2008–2011**  
Juris Doctor, *Magna Cum Laude*, top 15% of class, concentration in Environmental Law

- *Vermont Law Review*: Head Notes Editor, 2010–2011; winner of the 2010 *Vermont Law Review* Note Competition
- Legal Writing instructor; Legal Writing II and Appellate Advocacy teaching assistant;
- Summer 2009 Master's coursework in environmental and energy law, including Federal Lands Management with a focus on FLPMA, NEPA, TGA, and ESA.

**Bates College**, Lewiston, ME **2001–2005**  
Bachelor of Arts in Political Science; Minor in French Studies; semester at L'Université Stendhal in Grenoble, France

- Senior Thesis: Applied Realist and Neoliberal theories to the US-Canadian softwood lumber trade dispute

## **PUBLICATIONS AND AWARDS**

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- First Vermont Law School student to receive a *Burton Award* for Distinguished Legal Writing at the Library of Congress; Academic Excellence award for highest grade in torts, appellate advocacy, and trial practice.
- Super Lawyers™ *Rising Star* – General Litigation 2015-2018, Employment Litigation 2019
- Benjamin M. Leoni, Note, *Resolving Disputes in the Northern Forest: Lessons from the Connecticut and Moosehead Lakes*, 35 VT. L. REV. 295 (2010).

## **PERSONAL INTERESTS AND SKILLS**

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Semi-professional backcountry skier; published works in *Skiing* and *Backcountry* magazines; producer of online backcountry skiing webseries *Working for the Weekend*; former seasonal ski employee in Colorado and Utah; former hut caretaker on Appalachian Trail; speaker at national avalanche workshop; trail runner, sailor, mountain biker, surfer.

## **COMMUNITY INVOLVEMENT**

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Former founding board member, Granite Backcountry Alliance (2017-2018); Trustee of the Maine Chapter of The Nature Conservancy (2013); Northern Forest Center Programs Committee member (2011-2018); Maine Land Conservation Attorney's Network (2013-2018).