



## J. Timothy Hobbs

### Partner

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### OVERVIEW

Tim is a litigator and strategic legal advisor. He has litigated and won a wide range of cases before federal and state courts and other tribunals across the country. As a member of the firm's top-ranked environmental litigation practice, he frequently litigates cases involving fisheries, natural resources, pollution remediation, and other environmental issues. Tim has also litigated matters before the Department of Commerce, Department of Transportation, Federal Energy Regulatory Commission, Environmental Protection Agency, and various state agencies. He has successfully litigated antitrust and other complex business disputes and regularly advises clients on application of antitrust and competition laws. He serves as antitrust counsel to several trade associations.

In addition to litigation, Tim frequently helps clients develop novel regulatory and legislative initiatives to solve complex problems with creative solutions.

Before entering the legal profession, Tim worked for several years in the field of fisheries conservation. He was appointed as a technical advisor to the U.S. delegation to the International Commission for the Conservation of Atlantic Tunas (ICCAT), appointed to federal advisory panels on fisheries, and testified before Congress on fisheries legislation.

### EDUCATION

- J.D., University of Washington School of Law, 2006 *with honors*, *Articles Editor*, *Washington Law Review*
- B.A., Whitman College, 1999

### ADMISSIONS

- Bar of District of Columbia
- Bar of Tennessee
- Bar of Virginia
- Bar of Washington

- United States Court of Appeals for the District of Columbia Circuit
- United States Court of Appeals for the Fifth Circuit
- United States Court of Appeals for the Ninth Circuit
- United States Court of Appeals for the Second Circuit
- United States Court of Appeals for the Sixth Circuit
- United States District Court for the Eastern District of Virginia
- United States District Court for the Western District of Washington

### THOUGHT LEADERSHIP *POWERED BY HUB*

- November 2022, The Blue Economy: The Role of Ports in Developing Sustainable Marine Industries
- 14 June 2021, Shipping Emissions Remain a Focus of Reintroduced House Bill
- 3 June 2021, D.C. Circuit Affirms That Offshore Wind Lease Does Not Trigger NEPA Review
- April 2021, Blue Economy - Part 1: Offshore Wind Energy Development in the West
- October 2020, Blue Economy Handbook
- 28 August 2020, NOAA Identifies the First Two Aquaculture Opportunity Areas to Facilitate Expansion of Aquaculture in Federal Waters
- 2 July 2020, COVID-19: Renewed and Unique Opportunity for Fishing Industry in Paycheck Protection Program
- 15 May 2020, COVID-19: Trump Administration Takes Actions to Assist U.S. Fishing Industry
- 15 May 2020, COVID-19: Trump Administration Takes Actions to Assist U.S. Aquaculture

### NEWS & EVENTS

- August 2020, K&L Gates Lawyers Provide Insights on Impact of COVID-19 Across Various Industries
- 17 February 2016, K&L Gates Names 50 New Partners

### AREAS OF FOCUS

- Environment, Land, and Natural Resources
- Antitrust, Competition, and Trade Regulation
- Commercial Disputes
- Fisheries and Aquaculture

- Maritime
- Oil and Gas
- Power
- Public Policy and Law

## REPRESENTATIVE EXPERIENCE

### Fisheries, Natural Resources, and Environmental Litigation

- Won a lawsuit against the Department of Commerce on behalf of commercial fishing industry plaintiffs who challenged a reallocation of fishing quota. *A.P. Bell Fish Co., Inc. v. Raimondo*, 94 F.4th 60 (D.C. Cir. 2024).
- Represented fishing industry trade associations in filing *amici* brief in challenge to the constitutionality of appointments to the regional fishery management councils established by the Magnuson-Stevens Fishery Conservation and Management Act. *Arnesen v. Raimondo*, 2024 WL 377820 (S.D. Miss. 2024).
- Represented an electric power generator in challenging conditions of a permit issued by EPA under the Safe Drinking Water Act.
- Defended multiple clients against citizen suits under the Clean Water Act.
- Represented a major corporation against claims for contribution of Superfund response costs.
- Represented a coalition of charter/for-hire fishing vessel operators and environmental groups in filing an amicus brief before the Fifth Circuit in support of electronic catch reporting. *Mexican Gulf Fishing Co. v. U.S. Dep't of Commerce*, No. 22-30105 (5th Cir. 2022).
- Won lawsuit against the Commerce Department and overturned a reallocation of fishing quota that harmed the commercial fishing sector in the Gulf of Mexico. *Guindon v. Pritzker*, 240 F. Supp. 3d 181 (D.D.C. 2017).
- Intervened in litigation on behalf of Bering Sea crab harvesters and defeated challenge to a regulatory program expected to save the harvesters US\$50 million per year in lost revenues due to unfair competition from illegally harvested crab. *Alfa Int'l Seafood, Inc. v. Ross*, 264 F. Supp. 3d 23 (D.D.C. 2017).
- Represented groundfish harvesters and processors who intervened in a legal challenge to Pacific whiting catch allocations and defeated challenge to the allocation formula. *Pacific Dawn, LLC v. Pritzker*, 831 F.3d 1166 (9th Cir. 2016).
- Won lawsuit against the Commerce Department on behalf of commercial fish harvesters, showing that the government violated numerous provisions of the Magnuson-Stevens Act by failing to hold the recreational fishing sector to its catch limits. *Guindon v. Pritzker*, 31 F. Supp. 3d 169 (D.D.C. 2014).
- Represented a coalition of fishing industry and environmental interests who intervened in a challenge to individual fishing quota (IFQ) and cooperative programs for the Pacific groundfish trawl fleet and succeeded in upholding the program. *Pacific Coast Federation of Fishermen's Associations v. Locke*, 693 F.3d 1094 (9th Cir. 2012).

- Represented fishing industry and environmental interests who intervened in a challenge to an IFQ program for grouper and tilefish in the Gulf of Mexico and succeeded in upholding the program. *Coastal Conservation Association v. Blank*, 2011 WL 4530544 (M.D. Fla. Sept. 29, 2011).
- Successfully defended a fishing company against a US\$4.4 million civil penalty action brought by the US Department of Commerce for allegedly exceeding crab processing restrictions.

### **Representative Antitrust/Competition Litigation and Related Work**

- Successfully represented Asia-based company in securing pre-merger clearance from the Antitrust Division of the Department of Justice for US\$100 million acquisition of US-based company in 2016.
- Represented a US-based air carrier in a successful challenge to operations by a non-US helicopter services company, showing that that company was operating unlawfully in the United States.
- Obtained dismissal with prejudice of antitrust claims asserted against a global product manufacturer and distributor. *U.S. Ring Binder, L.P. v. World Wide Stationery Manufacturing Co., Ltd.*, 804 F. Supp. 2d 588 (N.D. Ohio 2011).
- Defended a ski resort against antitrust claims involving its provision of housing units and resort services.