



Michael F. Scanlon

Lead Practice Area Leader - Policy and Regulatory

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OVERVIEW

Michael Scanlon is a member of the public policy and law group in the Washington, D.C. office of the global law firm K&L Gates. Michael engages in a wide-ranging federal practice that concentrates on the maritime, postal, and financial services industries, administrative procedure, and litigation.

Michael advises and represents both large and small clients on a broad range of commercial and administrative law issues. His litigation experience includes numerous federal court and agency proceedings at both the trial and appellate levels.

Michael also advises and helps lobby on behalf of a wide range of companies and industry associations pursuing legislation, seeking regulatory implementation of newly-enacted laws, and representing their interests before Congress and federal agencies.

Before joining the firm, Michael clerked for Chief U.S. District Judge Frederick J. Scullin of the Northern District of New York. He received a master's degree in public administration along with his law degree from the Maxwell School at Syracuse University.

Prior to studying law, Michael was the director of research and communications with a national financial services trade association based in Washington, D.C.

Postal

Michael is also a member of the postal law practice. He represents mailing, shipping, and ecommerce clients, mail service providers, mail technology companies, and industry trade associations on a wide-range of postal matters, including: strategic business counselling, contractual, and compliance advice, defending and resolving investigations and enforcement actions by the U.S. Postal Inspection Service, and litigation before the Postal Regulatory Commission and federal courts.

Michael has extensive experience representing clients in rate and classification proceedings, rulemakings, and complaint proceedings. He represents clients in USPS revenue deficiency claims and investigations alleging violations of the False Claims Act in connection with USPS Move Update and other complex mailing eligibility requirements.

Michael has experience with both domestic and international mail policy and rate issues and in negotiating contract pricing arrangements with the USPS. Michael has extensive experience working with industry associations and providing strategic advice on regulatory and legislative postal policy matters.

Maritime

Michael's practice involves domestic and international maritime matters. He represents U.S. and foreign shipping companies, including container shipping companies, tanker operators, cruise lines and bulk carriers, marine terminal operators, and marine service providers before the U.S. Maritime Administration, the Federal Maritime Commission, U.S. Customs and Border Patrol, the U.S. Department of Commerce, the Congress and federal courts.

Michael has significant experience in areas of vessel documentation, citizenship, operation and crewing, operating support (VISA, Maritime Security Program), and national defense shipping. His maritime representations include extensive work on the coastwise laws and their enforcement.

Michael has significant fisheries litigation experience representing seafood harvesters, processors, trade associations, and environmental groups in federal court.

ACHIEVEMENTS

- Recognized by *The Legal 500 United States* for Government Relations, 2023
- Recognized by *The Legal 500 United States* for Transport: Shipping: Litigation and Regulation, 2023
- Recognized by *Chambers USA* for Transportation: Shipping/Maritime: Regulatory nationally, 2023

EDUCATION

- J.D., Syracuse University College of Law, 2001 (*magna cum laude*, *Executive Editor Syracuse Law Review*)
- M.P.A., Syracuse University, 2001 (*Maxwell School of Citizenship and Public Affairs*)
- B.A., Colgate University, 1994

ADMISSIONS

- Bar of District of Columbia
- Bar of New York
- United States Court of Appeals for the District of Columbia Circuit
- United States Court of Appeals for the Ninth Circuit
- United States Court of Appeals for the Second Circuit
- United States Court of Federal Claims

- United States Court of International Trade
- United States District Court for the District of Columbia
- United States District Court for the Northern District of New York

THOUGHT LEADERSHIP *POWERED BY HUB*

- 16 September 2022, Federal Maritime Commission Seeking Comment on New Rulemaking Regarding Prohibition Against Ocean Common Carrier Refusal to Negotiate on Vessel Space Accommodations
- 14 July 2021, Spotlight on the International Maritime Sector as the Biden Administration Looks to Address Competition Activities
- June 2021, 2020 Legal 500 U.S. Guide Accolades
- 18 November 2020, Election Briefing: Transportation and Infrastructure Outlook
- 11 May 2020, COVID-19: Updates on the FMC's Detention and Demurrage Final Rule
- 2 April 2020, COVID-19: Supply Chain Impacts
- 23 January 2020, Industry Predictions for 2020 From the Maritime Professionals at K&L Gates
- 8 January 2020, The Can-Do Congress?
- 12 July 2019, Declining to Overrule a Long-Standing Agency Deference Doctrine, the Supreme Court Nonetheless Cautions That its Limitations Provide a Meaningful Check on Federal Agencies' Power to Regulate Business Activities
- 27 June 2019, New Opportunities for Port Infrastructure Investment
- 20 December 2018, Recent Amendments to the Shipping Act: A Course Correction, Not a Sea Change
- 29 November 2018, Congress Passes Coast Guard Authorization Bill with Historic Overhaul of Vessel Discharges Standards and Other Measures
- 8 November 2018, Sea-zing the Day: Preparing for Maritime Issues in the 116th Congress
- 31 January 2017, Appeals Court Resoundingly Affirms Scope and Breadth of Shipping Act Antitrust Exemption
- 1 December 2016, Presidential and Congressional Authority to Roll Back Executive Actions
- 16 August 2016, The New JADE: Energizing Jones Act Enforcement

OTHER PUBLICATIONS

- "Biden Competition Order May Shift Ocean Carriers' Course," *Law360*, 20 July 2021

NEWS & EVENTS

- 25 March 2024, K&L Gates Deepens Environment, Land, and Natural Resources Practice With Seattle Partner Addition
- 17 January 2024 , K&L Gates Adds Of Counsel to Public Policy and Law Practice in Washington, D.C.
- 8 January 2024, K&L Gates Expands Public Policy and Law Practice in Texas with Austin Partner Addition
- 4 January 2024, K&L Gates Continues Washington, D.C., Office Growth with Antitrust Partner Addition
- 5 December 2023, K&L Gates Adds Pair of Justice Department Lawyers in Washington, D.C., Office
- 20 July 2023, K&L Gates Adds Government Contracts Partner in Newark
- 7 June 2023, The Legal 500 Recognizes K&L Gates Practices, Lawyers in 2023 United States Edition
- 1 June 2023, K&L Gates Receives Firm, Individual Rankings in 2023 *Chambers USA* Guide
- 1 November 2022, Dallas Government Contracts Partner Returns to K&L Gates
- 24 August 2022, K&L Gates Bolsters FDA, Food and Beverage Industry Capabilities with San Francisco Partner Addition
- 8 June 2022, K&L Gates Practices and Lawyers Recognized in *The Legal 500 United States* 2022 Edition
- 1 June 2022, K&L Gates Receives Firm, Individual Rankings in 2022 *Chambers USA* Guide
- 19 May 2022, K&L Gates Adds Banking and Fintech Partner in Boston
- 14 December 2021, K&L Gates Adds Antitrust, Employee Benefits Partners to Washington, D.C., Office
- 24 June 2021, Legal 500 Recognizes K&L Gates Policy and Regulatory Practice Among Leaders in the 2021 United States Guide
- 21 May 2021, K&L Gates Policy and Regulatory Practice, Lawyers Ranked Among Leaders in 2021 Chambers USA Guide
- 10 July 2020, K&L Gates Energy, Infrastructure and Resources Practice Ranked by The Legal 500 United States 2020 Guide in Eight Categories with 28 Lawyers Recommended
- 25 June 2020, K&L Gates Practices and Lawyers Recognized in 2020 Legal 500 United States Guide
- 6 June 2019, K&L Gates Earns Practice and Lawyer Recognitions in 2019 *Legal 500 United States* Guide

MEDIA MENTIONS

- Quoted, “On the Move and After Hours: K&L Gates; Pashman Stein; Javerbaum Wurgaft; Weinberger Law,” *New Jersey Law Journal*, 2 August 2023

- Quoted, “Molly Freed joins K&L Gates as partner in government contracts, procurement policy practices,” *ROI-NJ.com*, 20 July 2023

AREAS OF FOCUS

- Public Policy and Law
- Appellate Litigation
- Commercial Disputes
- Maritime
- Maritime Regulatory

INDUSTRIES

- Transportation and Logistics