



Jesse Medlong

Associate

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Jesse Medlong coordinates the environmental, social, and governance (ESG) efforts of DLA Piper's Consumer Goods, Food and Retail Sector to help clients across a wide range of industries navigate the increasingly critical intersection of business, law, and sustainability. His experience as an environmental lawyer, litigator, and international climate diplomat allows him to advise clients on integrating ESG and sustainability at all levels of their business, and to avoid, manage, and resolve related disputes.

In his environmental practice, Jesse counsels clients on various California and federal environmental regimes, with a particular focus on FIFRA. In this capacity, he advises manufacturers and distributors of pesticides, pest-control devices, consumer packaging, household goods, appliances, and technological components on state, domestic, and international regulatory requirements.

Jesse's unique background also makes him a skilled advocate in business disputes for clients in a wide range of sectors, including retail, financial-services, real estate development, and risk management.

As a military veteran, Jesse also holds a deep commitment to public service, which motivates him to serve in various fiduciary and advisory roles with multiple nonprofit organizations and social enterprises. Jesse is an alumnus of DLA Piper's Krantz Fellowship, which allowed him to spend his first year as an associate working exclusively on pro bono matters. He divided his time that year between providing legal assistance to military veterans and supporting New Perimeter, DLA Piper's international pro bono affiliate. His pro bono work has included matters as diverse as representing veterans seeking VA benefits and representing the Georgian delegation at United Nations climate talks. Jesse's work as a climate diplomat continues to be central to his practice. He also supports DLA Piper's commitment to pro bono as a member of the North American Pro Bono Committee.

Jesse writes on sustainability, ESG, climate change, environmental legal developments, FIFRA, international law, and veterans issues.

RELATED SERVICES

- Litigation, Arbitration and Investigations
- International Trade, Regulatory and Government Affairs
- Environment, Health and Safety
- Insurance and Reinsurance Disputes
- Global Governance and Compliance
- Investigations
- Commercial Contracts Disputes
- Product Liability, Mass Torts and Product Stewardship
- Sustainability and Environmental, Social and Governance

RELATED SECTORS

- Energy and Natural Resources
- Insurance
- Consumer Goods, Food and Retail

EXPERIENCE

RECENT SIGNIFICANT REPRESENTATIONS:

Sustainability, Climate Change, Responsible Business, and ESG

- Represents a sovereign country in negotiations under the United Nations Framework Convention on Climate Change
- Advised a private equity firm on ESG considerations and risks related to the acquisition of an infrastructure monitoring technology company
- Represents an environmental nonprofit in the creation of a nature reserve in the Democratic Republic of the Congo and the sale of internationally tradable carbon credits generated by the reserve
- Represented an energy commodities company in an enforcement matter related to California's cap-and-trade market, helping to reverse a decision to expel the company from the market
- Advised telecommunications-solutions company on San Francisco's antidiscrimination ordinance with respect to contract bidding process

Environmental Law

- Advises multiple manufacturers and importers of FIFRA-regulated products and devices at every stage from preregistration to going to market
- Assisted a major appliance manufacturer in avoiding penalties in a record-setting FIFRA enforcement action relating to allegedly mislabeled shipments
- Advised a major glass packaging manufacturer in a regulatory enforcement action alleging violations of RCRA's sham recycling rule
- Advised electronics component manufacturer in responding to regulatory inquiries related to EPA designation of an industry-essential chemical as a high-priority substance under TSCA
- Advises a leading global provider of innovative supply chain solutions on environmental, health, and safety regulatory issues in the occupational setting
- Represented beverage bottler in obtaining settlement and dismissal of criminal complaint alleging violations of RCRA

Other Litigation and Disputes

- Defended a global transportation firm in action raising novel theories, and obtained dismissal of all claims
- Represented individuals affiliated with the licensed gaming industry in overturning a state-law ban on political contributions on First Amendment grounds, obtaining summary judgment in federal district court and affirmance on appeal
- Represents major workers' compensation insurer in defense of multiple ongoing law suits and regulatory actions

CREDENTIALS

Admissions

- California

Prior Experience

Before joining DLA Piper, Jesse served for 10 years in the United States Navy, where he received a commendation for his professionalism in completing over 100 international maritime interdiction operations in the Persian Gulf without incident. After leaving the Navy, Jesse studied at the University of Michigan Law School. While there, he and a classmate led a team of student researchers conducting pro bono legal research to advise the government of Nepal in its ongoing transition from a unitary monarchy to a federal democracy. During law school, Jesse also served as an extern and International Fellow to the United States Mission to the United Nations, in Geneva,

Switzerland, where he supported the legal adviser's office during the 22nd Session of the United Nations Human Rights Council. He was also nominated by Michigan Law School to serve as a clerk to the International Court of Justice.

Recognitions

- 2020 Veterans Advanced Energy Fellow
- 2019 Marshall Memorial Fellow
- 2019 Swords to Plowshares' Bill Brockett Pro Bono Attorney of the Year Award
- 2016 San Diego Homeless Court's Pat Radburn Award
- 2015 New Leaders Council Fellow
- 2014 Krantz Fellow
- 2013 University of Michigan Geneva International Fellow
- 2013 recipient of S. Anthony Benton Memorial Award for scholastic excellence in international & constitutional law
- 2012 Helen L. Deroy Fellow for Scholarly Writing

Education

- J.D., University of Michigan Law School
Articles Editor, *Michigan Journal of International Law*
- M.S., International Relations, Troy University

Courts

- United States Court of Appeals for the Ninth Circuit
- United States District Court for the Central District of California
- United States District Court for the Eastern District of California
- United States District Court for the Northern District of California
- United States District Court for the Southern District of California

Memberships

- American Bar Association
- International Bar Association
- State Bar of California
- San Francisco Bar Association
- American Society of International Law
- Pacific Council on International Policy
- Veterans of Foreign Wars
- Truman National Security Project Defense Counsel
- Fellows of the American Bar Foundation

Civic and Charitable

- Board of Directors, BACK@YOU, a nonprofit dedicated to serving the unhoused citizens of St. Louis, Missouri
- National Veterans Legal Services Program's inaugural Advisory Council (former)
- Swords to Plowshares Pro Bono Advisory Board
- OneJustice Advisory Board

- New Leaders Council

Military Experience

Jesse served for ten years in the United States Navy. His service included two deployments to the Persian Gulf, where he was part of a team conducting boarding operations to ensure compliance with United Nations Security Council Resolution 986, for which he received a letter of commendation from Admiral Joseph Sestak.

INSIGHTS

Publications

CFTC's new Climate Risk Unit: Another tool in the Biden Administration's "whole of government" campaign against climate change

23 March 2021

With this move, the US joins governments across the globe in recognizing the vital role derivatives markets will play in developing new solutions to address climate and sustainability challenges.

CFTC final position rule limits enter into effect March 15

10 March 2021

The Final Rules aim to "prevent excessive speculation" and thus implement one of the remaining key provisions of Dodd-Frank.

Commodities Trading News and Trends

10 March 2021

Commodities Trading News and Trends

Oil and gas companies commit to transparency on methane emissions reporting; CFTC adopts final position rule limits; consequences of volatile markets.

Climate change disclosures – under SEC scrutiny

25 February 2021

This new directive does not come as a surprise.

Biden Administration's ambitious climate agenda starts now

22 January 2021

President Biden has kicked off his whole-of-government approach to address climate change.

CFTC's annual enforcement report touts record-breaking year

16 December 2020

CFTC releases the annual report from its Enforcement Division, and expects to continue prioritizing four key areas.

Commodities Trading News and Trends

16 December 2020

Commodities Trading News and Trends

In the inaugural issue, three states collaborate on offshore wind project; record-setting year for CFTC enforcement; climate change lawsuit reaches Supreme Court - plus latest legal and regulatory developments in commodities trading.

Nasdaq proposes board diversity listing standards

8 December 2020

The proposal is the first of its kind among US exchanges and, if approved by the SEC, would mark an important step toward mandated diversity requirements for the boards of US-listed public companies.

SEC 2021 and beyond: What to expect

7 December 2020

Some likely areas of SEC focus, from both the regulatory and enforcement perspectives, in 2021 and beyond.

Creating voluntary carbon markets: IIF recommendations and consultation – suggestions due by December 10

17 November 2020

The Taskforce's recommendations are based on core carbon principles to help establish standardized benchmark contracts for listing on exchanges and using existing infrastructure.

Contracting for the climate: The Climate Contract Playbook is a trove of climate clauses

11 November 2020

Contracts have become an essential vehicle for companies seek to mitigate their environmental risks and limit their carbon footprints.

New York Department of Financial Services calls on financial institutions to consider climate change risk

9 November 2020

Investors increasingly view climate as an area of business risk, and regulators are viewing it as a supervisory risk as well.

PACTA for Banks brings climate scenario analysis to financial institutions

7 October 2020

PACTA for Banks is a toolkit for financial institutions to measure the alignment of their corporate lending portfolios with climate scenarios across a set of key climate-relevant sectors and technologies.

CFTC updates guidance on compliance programs and enforcement

29 September 2020

The Guidance is the latest effort by the CFTC to ensure the transparency of its processes for registrants and the public.

Slave-Free Business Certification Act proposes audit requirements for labor abuses in major company supply chains

27 August 2020

The legislation would require large companies to report on and root out forced labor in their supply chains.

ISIA requires every Illinois "public agency" and "governmental unit" to implement ESG policies in their investments: action steps for private-sector actors

2 March 2020

Most market observers expect this trend to continue incrementally, with ever more institutional actors, whether public or private, considering ESG factors when investing.

COP25's key outcome: adoption of the San Jose Principles on carbon market mechanisms – takeaways for business

12 February 2020

Ambitious countries are not waiting for full consensus on carbon markets.

- Co-author, "Preserving market integrity," *HC Insider*, January 15, 2021
- Co-Author, "Funding the Future: The Role of Private Parties in Internationally Financed Climate Projects," *The Recorder* (July 7, 2020)
- Co-author, "A Global Firm Takes on Global Warming: DLA Piper and Georgia at the UNFCCC," *International Bar Association Pro Bono Committee Spring E-Bulletin* (Apr. 14, 2020)
- Co-Author, "ESG: The rise of private ordering and the role of the NCGC committee," *DLA Piper's Handbook* (March 26, 2020)
- Author, "What to Expect at the COP23 Climate Summit in Bonn," *Pacific Council on International Policy* (November 10, 2017)
- Author, "Four Issues to Follow at COP22: Will We Always Have Paris?" *Pacific Council on International Policy* (November 9, 2016)
- Author, "Globalization and the Ghost of Captain Ludd," *Pacific Council on International Policy* (October 5, 2016)
- Author, "Quantum Lawmaking: How National Security Law Happens When We're Not Looking" *4 Nat'l Sec. L.J.* 25 (2015)
- Co-author, "Remembering Our Living Veterans," *The Hill* (November 11, 2015)
- Author, "In Search of the Twilight Zone," *ABA Young Lawyers Division Litigation Committee Newsletter* (February, 2015)
- Co-author, "Honor to the Volunteer Attorney Who Serves Our Veterans," *The Hill* (November 11, 2014)
- Co-author, "2013 Warsaw Climate Change Conference: mobilizing climate finance mechanisms," *DLA Piper Climate Change Alert* (December 17, 2013)
- Co-author, "Courts Marshalled to Empower Veterans," *Daily Journal* (November 11, 2013)
- Author, "All Other Breaches: State Practice and the Geneva Conventions' Nebulous Class of Less Discussed Prohibitions," *34 Mich. J. Int'l L.* 829–856 (August 2013)

NEWS

DLA Piper represents Applied Underwriters in defeat of three class certification motions

19 August 2019

DLA Piper represented Applied Underwriters in its defeat of three separate motions for class certification arising out of a regulatory dispute over whether a reinsurance transaction adjunct to workers' compensation coverage was required to be filed with, among others, the California Department of Insurance.

MEDIA MENTIONS

- "California Bill Signals Climate Disclosure Requirement Trend," *Law360*, March 16, 2021

PRO BONO

- Successfully argued to restore the rights of veteran groups in the San Francisco War Memorial Veterans Building
- Negotiated on behalf of a developing country party under the United Nations Framework Convention on Climate Change, including as a delegate to the 2015 climate change summit in Paris
- Taught a course on pro bono to Mexican law students at Universidad Panamericana
- Coordinated research team and drafted policy paper on direct democracy for the Public International Law and Policy Group and the Government of Bosnia and Herzegovina
- Advised nonprofit corporate clients on various regulatory and civil-legal issues