

Donald W. Fowler

Retired Partner



Don Fowler is the quintessential trial lawyer who specializes in federal and state trials and appeals in the areas of environmental law, toxic torts, and pharmaceutical products liability. With a practice that encompasses litigation against the federal government, Don's vision, calculated problem-solving, and patience are the hallmarks of his reputation among clients, trial practitioners, and judges alike. For over four decades, Don's clients have become his friends and recognized his fierce dedication and intense loyalty to their matters.

Don has represented major manufacturing concerns and site owners in trials and appeals of class actions and mass torts involving personal injury, property damage, and/or medical monitoring damage claims associated with alleged exposures to ionizing radiation and various chemical compounds, including per- and polyfluoroalkyl substances (PFAS), solvents, and benzene derivatives. He also has represented a major pharmaceutical manufacturer in the national defense of personal injury claims associated with oncological drugs, migraine treatments, and anti-cholesterols, and has successfully defended such cases whether filed individually, as part of a mass tort, or as a class action.

In the environmental area, Don's practice includes defending major corporations in both actual and anticipated litigation brought by federal and state natural resource trustees seeking recovery for damages to natural resources under federal and state law. He also has handled litigation and environmental risk assessments in connection with corporate acquisitions. Representing companies in litigation and before the Environmental Protection Agency in matters arising under the Resource Conservation and Recovery Act and Superfund, including private cost recovery actions, Don has designed and implemented compliance programs, conducted environmental audits and due diligence reviews, and negotiated environmental aspects of real estate and other transactions on behalf of many of the firm's clients. As a frequent author of *amicus curiae* briefs on behalf of the firm's toxics and pharmaceutical clients, Don lectures at private and public seminars on developments in these fields.

Following law school, Don joined the Land and Natural Resources Division of the Department of Justice, where he spent three years as a trial attorney conducting environmental litigation before the federal appellate and trial courts. Before joining the firm, he also served as Deputy Assistant Administrator of the Commerce Department's National Oceanic and Atmospheric Administration.

While Don is a trial lawyer at heart, he appreciates the value of finding effective ways to advance his client's goals short of trial. Being smart, thoughtful, and creative is the core of his approach and more often than not has enabled him to secure a successful outcome for his client. When he is not engaged in the rigors of defending clients, he steals time on his boat or crabbing off his dock which brings renewed energy and a fresh perspective to tackling his clients' most difficult challenges.

Services

Business Interruption & Commercial Disputes
Class Action Defense
Complex Litigation
Defense & Government Contracting
Environmental
Federal Claims
Government Investigations & White Collar Defense
Natural Resource Damages
Pharmaceutical & Medical Device
Risk Mitigation & Management
Toxic Torts & Products Liability

Education

Yale Law School (J.D., 1975)
Cornell University (B.A., 1972)

Admissions

District of Columbia and Maryland
United States Supreme Court
United States Courts of Appeals for the Second, Fourth, Fifth, Sixth, Ninth, Tenth, Eleventh, District of Columbia, and Federal Circuits
United States District Courts for the District of Columbia, the District of Maryland, and the Eastern District of Michigan
United States Court of Federal Claims
United States Court of International Trade

Accolades

Best Lawyers in America, Environmental Law and Litigation-Environmental, 2016 – 2024
Super Lawyers, Environmental Litigation, 2010 – 2023

American Registry's list of America's Most Honored Lawyers, 2022
America's Top 100 High Stakes Litigators for Washington DC, 2021
Lawdragon 500 Leading U.S. Environmental & Energy Lawyers Guide, Environmental Litigation, 2021
The Expert Network, "Distinguished Lawyer," since 2017
Corporate Livewire M&A Awards, Environmental Lawyer of the Year, 2017
Who's Who Legal: Environment, since 2015
Burton Distinguished Legal Writing Award, 2015
Corporate America's Legal Elite Awards, Best in Product Liability Litigation-Washington, DC, 2015

Memberships

Fellow of the American College of Environmental Lawyers
Defense Research Institute (DRI), member, since 2000