



# Katelyn Fulton

 Associate

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🐦 @millernashllp

**“I am committed to listening to my clients’ needs and crafting thoughtful, pragmatic legal solutions that are tailored to achieve their desired outcomes. I emphasize responsiveness in my practice, and often take an interdisciplinary approach to my clients’ industry-specific issues by drawing on my science background.”**

Katelyn Fulton is an associate on the firm’s litigation team. She works on large environmental cleanup matters, and she also advises and represents clients on environmental and energy legal issues. Before law school, Katelyn majored in biology and worked in microbiology and biochemistry-focused labs as a student researcher. Drawing on her background, Katelyn emphasizes an interdisciplinary approach to her environmental and energy practice.

Katelyn’s practice covers a wide array of environmental and energy matters. Most notably, she provides legal service to clients at the Portland Harbor Superfund Site and advises clients on clean fuels program, cap-and-trade, environmental due diligence, and ratemaking issues. She also represents clients in the context of insurance coverage triggered by environmental cleanup actions. She has represented clients before state and federal agencies and courts as well as specialized regulatory bodies.

Before private practice, Katelyn served as a student attorney at the University of Washington’s Regulatory Environmental Law and Policy Clinic, and she interned for a nonprofit organization in Portland that specialized in energy law. She also interned at the United States Department of Justice Environment and Natural Resources Division in Washington, D.C.

## Professional Activities

- Citizens Utility Board of Oregon, Law Clerk, 2016

## Representative Experience

### Environmental Litigation

- Represented client against CERCLA and MTCA multimillion-dollar contribution claims involving contaminated property formerly owned by client. Involved extensive briefing, research, document discovery, interrogatories, and

## Education

J.D., University of Washington School of Law, 2018

- Order of the Coif
- Editorial Staff, *Washington Law Review*

B.S., Washington State University, *summa cum laude*, biology, 2014

## Bar Admissions

Oregon, 2018

## Court Admissions

U.S. Court of Appeals for the Ninth Circuit, 2019

U.S. District Court, District of Oregon, 2018

mediation completed within a few months leading up to virtual trial in bankruptcy court during the COVID-19 pandemic. Secured significant victory for client at trial; client described result at trial as “a really terrific outcome.”

- Actively represents large energy company at the Portland Harbor Superfund Site. Involves advocacy in confidential allocation process as well as analyzing potential allocation exposure under CERCLA.

### Energy

- Represented energy company in litigation regarding county ordinance that attempted to regulate rates. Successfully negotiated a stipulated dismissal judgment in favor of the client. Worked with multiple government agencies to balance interests and achieve a positive resolution.
- Represented energy association in securing a temporary restraining order and permanent injunction against state agency, which prevented the agency from publicly releasing confidential business/trade secret information submitted to agency by clean fuels program participants.

### Insurance Recovery

- Actively represents company in insurance recovery litigation to obtain coverage for defense against large environmental cleanup action.

### Publications

- “Utilizing Brownfields for Low Carbon Energy,” *Texas Environmental Law Journal* (Apr. 2022)
- “Offshore Wind Bill Signed into Law and Effective September 25, 2021,” Miller Nash, *From the Ground Up* (Sept. 2021)
- “Big News for the Offshore Wind Industry in Oregon,” Miller Nash Graham & Dunn, *From the Ground Up* (Apr. 2021)
- “Business Insurance: From COVID-19 to Employment Claims, Here’s What Businesses Need to Know,” *Oregon Business* magazine, coauthor (Sept. 2020)
- “Chapter 26: Cyber Insurance,” Oregon State Bar BarBooks™, *Insurance Law in Oregon 2020 Edition*, coauthor (May 2020)
- “Interpreting Insurance Exclusions for Flood and Surface Water Damage Caused by Human Activity in Oregon,” Miller Nash Graham & Dunn, *The Northwest Policyholder* (Dec. 2018)

### Presentations

- “ESG: Trends, Risks, and Coverage Issues,” The Litigation Section of the American Bar Association, 2022 Women in Insurance Network, panelist (Oct. 2022)
- “Utilizing Brownfields for Low Carbon Energy,” State Bar of Texas Environmental and Natural Resources Law Section, 2022 Symposium on Legal System Changes to Address Climate Change and the Energy Transition (Apr. 2022)
- “Tips and Strategies for Handling First-Party Litigation,” American Bar Association Section of Litigation, Insurance Coverage Litigation Committee CLE Seminar (Mar. 2020)
- “Fundamentals of Industrial Stormwater Regulation,” Northwest Environmental Business Council, Managing Stormwater in Oregon Conference, moderator (June 2019)

### Recognition & Honors

- Selected for inclusion as an Oregon Super Lawyer—Rising Star, 2021-present
- Selected for inclusion in Best Lawyers: Ones to Watch
  - Insurance Law, 2022

### Personal Activities

Katie enjoys reading science fiction, hiking, and camping. During her free time, she travels to national parks around the country to meet her goal of visiting every national park in the United States.