



Joshua H. Van Eaton

Principal

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Josh helps clients resolve high-stakes compliance, enforcement, and litigation matters.

He brings the perspective gained from a distinguished U.S. government service career to provide clients with strategic counsel on air, water, and waste issues with a focus on mobile source emissions. He also litigates those matters and advises on proactive environmental compliance strategies.

Prior to joining Beveridge & Diamond, Josh served as Senior Trial Attorney in the Environmental Enforcement Section of the Environment and Natural Resources Division (ENRD) of the U.S. Department of Justice (DOJ). During his DOJ career, he received the Samuel J. Heyman Service to America Medal and was named Federal Employee of the Year in 2017 in recognition of his work as Lead Counsel in the *United States v. Volkswagen AG, et al.* ("Clean Diesel") civil Clean Air Act (CAA) enforcement litigation. He also has received the Assistant Attorney General's Award for Excellence, the EPA Administrator's Award for Excellence, and numerous other DOJ commendations and awards. Clients benefit from the experience he gained advising senior officials across agencies and at corporations.

Josh's public service includes a distinguished and ongoing military career. Josh currently serves in the Army Reserve as Associate General Counsel in the Office of General Counsel of the Defense Logistics Agency, where he also serves as Co-Chair of the Installation and Environmental Law Practice Group.

During his time on active duty, Josh served first as a criminal prosecutor and legal advisor in one of the army's largest criminal jurisdictions then subsequently as a litigation attorney in the Environmental Law Division of the U.S. Army Judge Advocate General's Corps. He is also a former Senior Administrative Law Attorney in the Administrative Law Division of the Department of the Army and a former Associate Professor of Administrative and Civil Law at the Army Judge Advocate General's School in Charlottesville, Virginia. His military awards include the Army Meritorious Service Medal awarded on multiple occasions as well as the Army Commendation Medal.

Education

- Seattle Pacific University (B.A., 1997)
 - Business Administration

- Baylor University (J.D., 2001)

Bar Admissions

- District of Columbia
- Texas
- Washington

Honors & Awards

- Samuel J. Heyman Service to America Medal, Federal Employee of the Year 2017
- Assistant Attorney General's Award for Excellence, 2017
- Army Meritorious Service Medal, 2005, 2008, 2014, 2017
- EPA Administrator's Award for Excellence, 2016
- DOJ Special Achievement Award, 2013, 2015-2016
- DOJ Special Recognition Award, 2009, 2013-2015
- DOJ Special Commendation Award, 2009
- Army Commendation Medal, 2003

Representative Matters

Josh's experience includes:

- Serving as lead DOJ counsel in *United States v. Volkswagen AG, et al.* ("Clean Diesel"), a complex CAA mobile source case arising from the alleged illegal use of defeat devices in light-duty diesel engines in which the relief obtained includes the largest consumer recall in American history (\$11 billion vehicle buyback program), a \$3 billion environmental mitigation trust, a \$2 billion zero-emission vehicle infrastructure investment, and a \$1.45 billion civil penalty, the largest ever under the CAA.
- Serving as lead counsel in a suit to remedy dangerous and illegal storage of hazardous waste at a chemical manufacturing facility and to recover past clean-up costs, where he also prevailed in post-trial contested motions practice with a third party over lien priority to ultimately effectuate property sale.
- Serving as lead counsel in a case against a regional construction company alleging over 600 violations of the Clean Water Act NPDES permit program at various construction sites, ending in a settlement that included civil penalty and injunctive relief requiring a company-wide stormwater training and compliance program.
- Serving as lead U.S. counsel in a case to recover remedial costs in a \$400 million nuclear waste site cleanup matter.

- Serving as co-counsel in a \$30 million case brought on behalf of the Department of Defense against multiple petroleum companies to recover environmental cleanup costs at a defense site adjacent to an oil refinery.
- Serving as lead counsel in an action to collect Superfund responses costs from recalcitrant CERCLA judgment debtors and a third party insurance company, ending in a settlement in favor of the United States for \$2.225 million.
- Serving as lead counsel in a Safe Drinking Water Act matter to address the threat of imminent and substantial endangerment to a potential underground source of drinking water posed by an improperly plugged oil well, ending in the successful negotiation of a resolution where the well owner agreed to implement a long-term aquifer remediation system.
- Serving as lead counsel in the negotiation of a CERCLA Remedial Design/ Remedial Action Consent Decree with a major petroleum company for a multi-million dollar cleanup of a legacy coking operation.