



J. Michael Showalter

PARTNER

Mike is a problem-solver whose practice focuses primarily on resolving complex and high-stakes environmental and public policy disputes that are legally novel or technically complex.



Industries

Consumer Products
Energy & Cleantech
— Energy Litigation
Public Finance
— Infrastructure
Transportation & Mobility
— Automotive

Practices

Complex Litigation
— eDiscovery & Litigation Readiness
Environmental
— Citizen Suits & Environmental Activism
— Emerging Contaminants
— Environmental Enforcement Defense
Environmental, Social & Governance (ESG)
— Remediation & Superfund
— Rulemaking & Legislative Support
Real Estate

International

Japan

Education

Vanderbilt University Law School, JD, 2004
Columbia College, Columbia University, AB, 2000

Offices

Chicago
New York

Phone

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j.michael.showalter@afslaw.com

Mike helps clients proactively evaluate and litigate complex environmental, public policy, and energy disputes. His work centers on protecting enterprise value and mitigating companies' financial and reputational risks, from investigating and resolving Superfund liability to counseling on climate and energy policy. As a partner in both the Complex Litigation and Environmental practices, Mike serves as a strategic advisor to clients across the energy, manufacturing, government, real estate, and financial sectors.

Experience & Practice Areas

Mike focuses on identifying and deploying effective solutions to clients' legal and business challenges. He provides strategic counsel for leaders who face complex environmental and regulatory risks.

Strategic and Litigation Counsel for Business Leaders

Corporate Risk Management & Regulatory Litigation: Advises clients on litigation and enforcement actions related to the Clean Air Act, Clean Water Act, the Toxic Substances Control Act, and other federal and state environmental statutes, navigating complex regulatory landscapes in ways advantageous to each client.

Superfund & Remediation Strategy: Manages all aspects of Superfund-related matters, from negotiation with federal regulators to cost recovery litigation, including managing long-term legal exposure at high-profile and technically complex sites.

Sustainability, ESG, & Emerging Contaminants: Counsels companies and their boards on emerging issues like PFAS litigation, chemical regulation, carbon capture sequestration, and ESG compliance, understanding the legal and political risks that can impact business operations and investment decisions. Interfaces with federal, state, and local policymakers.

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Business Litigation: Manages all aspects of tort and commercial litigation from pre-litigation claims analysis and document preservation and collection through resolution of claims through mediation, trial, and/or appeal. Mike has represented clients in litigation and arbitration in venues across the United States.

Infrastructure Development: Assess need for permits and approvals needed for the construction of manufacturing facilities, power generation and transmission, and public infrastructure and provide counsel regarding real estate issues including eminent domain.

Advising Corporate Boards and High-Level Leaders

Mike also counsels corporate boards, executives, and non-governmental organizations on the legal and reputational risks associated with their operations. His beginnings in a West Virginia steel town provide him with a unique perspective on how to balance economic growth with community needs. Over time, Mike has advised corporate leaders on questions ranging from energy to employment, and corporate governance to sustainability. He has extensive experience distilling complex legal facts into compelling arguments that carry weight with both courts and the broader communities where clients operate.

Commitment to Pro Bono Service

Mike is deeply committed to pro bono work, particularly matters of significant public interest and civil rights. Mike's pro bono work uses the same creative toolkit he uses for corporate clients in the public sphere.

Mike's significant pro bono engagements include

- **Protecting Constitutional Rights:** Serving as trial and appellate counsel in a civil rights case that challenged restrictive voting laws. Mike also secured the First Amendment rights of non-religious individuals to perform marriages in Illinois and Michigan through federal litigation.
- **Influencing High-Stakes Litigation:** Filing an amicus brief at the U.S. Supreme Court on behalf of a U.S. Senator regarding state laws that limit content moderation on internet platforms. Mike also filed an amicus brief in the Fourth Circuit on behalf of national health and disability rights organizations, leading to the overturning of a lower court decision that had barred institutional reform litigation related to West Virginia's foster care system.
- **Driving Legislative Change:** Challenging Michigan's assessment of state sales and use taxes on feminine hygiene products. This litigation ultimately led to the Michigan legislature repealing the tax.
- **Advocating for the Vulnerable:** Representing classes of foster children in litigation against the Illinois Department of Children & Family Services and the State of Illinois on issues ranging from child welfare to securing the ability of same-sex couples to become foster parents. Mike has also challenged religious discrimination and unconstitutional conditions of confinement on behalf of incarcerated persons, as well as assisted immigrants seeking asylum and similar relief in the immigration system.
- **Blending Litigation with Public Advocacy:** After securing a judgment against a con artist who defrauded flea market vendors in multiple states, Mike coordinated with law enforcement and the media to ensure public awareness. This approach led to the con artist's eventual incarceration for unrelated crimes, effectively ending his multi-state spree of preying on immigrant communities.

Boards, Memberships & Certifications

- American Bar Association
- International Bar Association, Environment, Health and Safety Law Committee, Membership Office (2025-present); Programme Officer (2023-2025)
- The Sedona Conference
 - Working Group 1, Member
- Brainstorming Group on Proportionality in Discovery and Drafting Team regarding the Use of Technology Assisted Review in Litigation, Member

Publications, Presentations & Recognitions

Publications

- “The End of the Beginning of the Environmental Justice Era?” (co-author) *The Magazine for Environmental Managers* (2025)
- “[Warehouse and Logistics Operations Targeted by Regulatory Push for ‘Indirect Source Rules’ Targeting Vehicle Emissions](#),” (co-author) *Pratt’s Energy Law Report*, Vol. 24-6 (2024)
- *Primer on Crafting eDiscovery Requests with “Reasonable Particularity*, (co-author) The Sedona Conference (2022)
- “Going Beyond: When Can Courts Look Past the Record in an APA Review?” *Georgetown Environmental Law Review*, Aug. 15, 2019
- “Discovery in the Modern Age,” *From the Trenches III: Pretrial Strategies for Success*, American Bar Association (2018)
- “Punitive Damages,” in *Business Torts and Unfair Competition Handbook*, American Bar Association Section of Antitrust Law (2014)
- *Scientific Evidence in the Fourth Circuit*, in Cynthia H. Cwik et al. (eds.), *Scientific Evidence Review: Admissibility of Expert Evidence*, Monograph No. 9, American Bar Association Section of Technology & Law (2013)
- *Scientific Evidence in the Fourth Circuit*, in Cynthia H. Cwik et al. (eds.), *Scientific Evidence Review: Admissibility of Expert Evidence*, Monograph No. 8, American Bar Association Section of Technology & Law (2008)

Presentations

- “Permits and Policies: Waste Storage and Environmental Justice Considerations,” ABA SEER Section, Webinar (Apr. 23, 2025)
- “Environmental Citizen-Suit Landscape: How Legal and Political Shifts Heighten Risk for Business,” Washington Legal Foundation (Dec. 12, 2024)
- “Industry Perspectives on Environmental Justice,” Environmental Justice: Policy, Practice, and Progress Conference, Air & Waste Management Association (Dec. 4, 2024)
- “Defending Against Citizen Suits,” [Strafford Webinar](#) (Oct. 3, 2024)
- Illinois Environmental Resource Group, Title V Seminar – presentation on environmental justice (EJ) issues, Springfield, IL, (Oct. 3, 2024)
- “How to Navigate Environmental Justice Requirements in Permitting Procedures,” (Webinar) Illinois Environmental Regulatory Group (Jan. 24, 2024)
- “Climate Pro Bono Bootcamp,” hosted by Green Pro Bono, the planetary lawyer project and Offit Kurman (Jan. 17-18, 2024)
- “Epa – Full Throttle in 2024. What to Expect in 2024 from The Biden/Regan Epa,” The Regulatory Environmental Group for Missouri (REGFORM) (Dec. 5, 2023)
- “Opportunities and Challenges in the New Environmental, Social and Governance (ESG) Frontier: From Theory to Practice,” ISBA Environmental Law Section’s 21st Annual Environmental Law Conference (May 11, 2023)
- “Fast and Furious EPA: Five Critical Issues Facing Regulated Facilities in 2023,” The Regulatory Environmental Group for Missouri (REGFORM), Conference (Apr. 20, 2023)
- “ESG: The Role of Lawyers Today and in the Future: What could possibly go wrong? ESG-related disputes: litigation and enforcement,” North American Regional Forum and the Energy, Environment, Natural Resources and Infrastructure Law Section, Conference (Feb. 28, 2023)
- “Understanding Environmental Justice: Guidance for Regulated Facilities,” The Regulatory Environmental Group for Missouri (REGFORM) (Dec. 6, 2022)
- “Defending Against Citizen Suits Under Environmental Laws: Notice, Standing, Jurisdiction, Settlements, and More Under RCRA, CERCLA, CWA, and CAA,” *Strafford*, Webinar (Oct. 4, 2022)
- “Environmental and Energy Law Policy: A Trump vs. Biden Administration,” (speaker) The

- Chicago Bar Association, Young Lawyers Section, Environmental Law Committee (Oct. 6, 2020)
- “COVID-19 Legal Issues Spotting for In-House Counsel,” Webinar (Apr. 1, 2020)
- “Views on Trump Administration Environmental Policy Updates,” Chicago Bar Association, Young Lawyers Section, Chicago, Ill. (Feb. 21, 2018)
- “Citizen Suits and Community Complaints (Odors),” 2017 Air Quality Management Conference, Oakbrook Terrace, Ill. (Oct. 17, 2017)
- “Citizen Enforcement of the CCR Rule: How Will Enforcement Actions Be Brought, and What Can You Do to Prepare for Them,” (co-presenter) 2017 World of Coal Ash Conference Short Course, Lexington, Ky. (May 8, 2017)
- “Ban Asbestos Legislation, Regulation, and Asbestos Litigation,” Defense Research Institute Seminar on Asbestos Medicine, San Diego, California (2010)

Recognitions

- Emerging Lawyer, Law Bulletin Publishing Company’s *Leading Lawyers* (2015-2018)
- Illinois Emerging Lawyer, Law Bulletin’s *Illinois Leading Lawyers Network* (2015)

Thought Leadership & Client Insights

Mike’s articles regularly appear or are cited in publications including the Wall Street Journal, Houston Chronicle, Bloomberg Law, Law360, and international media. Mike writes to provide actionable insights for the regulated community and the lawyers and consultants who advise them. Mike regularly speaks on topics including environmental and administrative law; ESG, sustainability, and greenwashing; and developments in the energy space. JDSupra recognized Mike as a thought leader in the environmental space in 2022, 2023, and 2024.

Previous Experience

Before entering private practice, Mike clerked for then U.S. Magistrate Judge (later Chief District Judge) Michael F. Urbanski of the Western District of Virginia, and then Chief District Judge David A. Faber of the Southern District of West Virginia.

Bar Admissions

[Illinois](#)
[Michigan](#)
[New York](#)
[Virginia](#)
[West Virginia](#)

Court Admissions

[US Supreme Court](#)
[US Court of Appeals, 4th Circuit](#)
[US Court of Appeals, 5th Circuit](#)
[US Court of Appeals, 6th Circuit](#)
[US Court of Appeals, 7th Circuit](#)
[US Court of Appeals, 8th Circuit](#)
[US Court of Appeals, 9th Circuit](#)
[US Court of Appeals, District of Columbia Circuit](#)
[US District Court, Central District of Illinois](#)
[US District Court, Northern District of Illinois](#)
[US District Court, Northern District of Indiana](#)
[US District Court, Eastern District of Michigan](#)
[US District Court, Western District of Michigan](#)
[US District Court, Eastern District of New York](#)
[US District Court, Northern District of New York](#)
[US District Court, Southern District of New York](#)

US District Court, Northern District of Ohio
US District Court, Western District of Texas
US District Court, Eastern District of Virginia
US District Court, Western District of Virginia
US District Court, Northern District of West Virginia
US District Court, Southern District of West Virginia