

**To:** Jackson, Ryan[jackson.ryan@epa.gov]  
**From:** Thompson, Ryan  
**Sent:** Tue 8/1/2017 1:30:23 PM  
**Subject:** Marcella Burke Resume  
[Marcella Burke Bio.pdf](#)  
[Marcella Burke Cover Letter and Resume with Deal Sheet.pdf](#)

Ryan,

I wanted to pass along the resume, cover letter and background email (below) from my colleague Marcella Burke. Marcella is a fantastic attorney and I think her credentials speak for themselves. Let me know if I can help in connecting her with anyone else at EPA.

Thanks!

-Ryan

**Ryan Day Thompson**

**AKIN GUMP STRAUSS HAUER & FELD LLP**

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**From:** Burke, Marcella  
**Sent:** Wednesday, July 12, 2017 9:47 AM  
**To:** Thompson, Ryan  
**Subject:** Marcella Burke Resume

Ryan,

It was great to catch up earlier today. Thank you for your time and especially for offering to pass my information to your contacts in the Administration. Attached is a bio along with my resume and application materials. In order to maintain version control of my application, the attached cover letter covers pretty much all energy-related bases.

I am in Washington now for a second round of meetings and interviews. It would be an honor to serve President Trump's Administration, and I would very much look forward to meeting any of your contacts while I am in town.

As my resume notes, I'm a pre-nomination supporter of President Trump with significant oil and gas,

energy, and renewables legal experience who seeks to serve the Trump Administration through a political appointment whereby I can contribute to the Administration's mission to:

- reduce regulation on the energy industry and deconstruct the administrative state;
- promote federalism through facilitating cooperation with state environmental action;
- prove false the paradigm that to be pro-energy is to be anti-environment; and
- unleash this country's valuable energy resources so the United States can be truly energy independent.

Thanks very much for your help. Please let me know if you have any questions.

Kind Regards,

Marcella

Marcella Burke

**Ex. 6 - Personal Privacy**

The information contained in this e-mail message is intended only for the personal and confidential use of the recipient(s) named above. If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.



MARCELLA BURKE

**Ex. 6 - Personal Privacy**

Marcella Burke is a corporate attorney in Akin Gump’s global energy transactions practice. Passionate about the energy industry, her practice focuses on complex energy-related transactions including mergers and acquisitions, divestitures, debt finance and credit facilities, capital markets and securities regulations, corporate governance, joint ventures, and other matters. In 2017, she was named the Woodrow B. Seals Outstanding Young Lawyer of Houston Award and also a Texas Rising Star in Texas Monthly magazine.

Ms. Burke served as a law clerk to Justice Don Willett on the Supreme Court of Texas. She took a John Marshall Fellowship with the Claremont Institute Center for Constitutional Jurisprudence, and a James Wilson Fellowship with the James Wilson Institute on Natural Rights and the American Founding. She earned her J.D. from The University of Houston Law Center where she served as editor of both the Houston Law Review and the Harvard Journal of Law and Public Policy; she earned eleven scholarships and served as research assistant to her Administrative law professor and as a tutor in the legal writing center.

Ms. Burke dedicates her pro bono efforts to military families through the Semper Fi Injured Marines Fund. TIME Magazine called Marcella a “dynamo of a lawyer” in the article, “The Pentagon’s Letting Down Our Kids”. The Atlantic called Marcella “a smart attorney with the powerful Akin Gump law firm” in the article, “Why Congress Should Pass Kaitlyn’s Law Today”, which discusses a bill Marcella drafted and received support for in both houses of Congress. Marcella was appointed under Pope Benedict XVI and Pope Francis to an international religious liberty project, and is a past member of the National Advisory Council to the United States Conference of Catholic Bishops. She is also a high school speaker, and has given talks and keynote addresses to numerous Houston-area high schools regarding character development and civic engagement. She lives in Houston with her husband and son.

MARCELLA BURKE

**Ex. 6 - Personal Privacy**

July 5, 2017

SENT VIA EMAIL

The Honorable Donald J. Trump  
President of the United States of America  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

Attention: Presidential Transition Team

Re: Application for Position in the Trump Administration

Dear Presidential Transition Team:

As a pre-nomination supporter of President Trump with significant experience in oil and gas, energy, and renewables, I respectfully request to be considered for a position in the new Administration. Because I am committed to the President's mission of deconstructing the administrative state, I would seek to serve the Trump Administration through a political appointment whereby I can contribute to the Administration's mission to reduce regulation on the energy industry, promote federalism through facilitating cooperation with state environmental action, prove false the paradigm that to be pro-energy is to be anti-environment, and unleash this country's valuable energy resources so the United States might be truly energy independent.

As the Vice-President of the Houston chapter of the Federalist Society, I long have been committed to the basic principles that the state exists to preserve freedom, that the separation of governmental powers is central to our Constitution, and that it is the province and duty of the judiciary to say what the law is, not what it should be. I am thrilled to watch the new administration steer our government toward greater adherence to these principles, and I would be honored to play a part in the deconstruction of the administrative state, particularly its overreach into the energy sector.

Attached please find my resume. In particular, I believe that my background as a corporate energy attorney with management experience in energy-related matters equips me well to serve the administration in energy-related departments or agencies such as the Environmental Protection Agency, the Council on Environmental Quality, the Department of the Interior, the Department of Energy, Department of Justice, or possibly the Federal Energy Regulatory Commission. I am particularly interested in serving at the Deputy, Assistant Deputy, or Counsel level and would be happy to consider any other legal positions one of these or any other agencies might need to fill.

Best regards,



Marcella Burke

# MARCELLA BURKE

## Ex. 6 - Personal Privacy

### SUMMARY

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Pre-nomination supporter of Donald J. Trump with significant oil and gas, energy, and renewables legal experience who seeks to serve the Trump Administration through a political appointment whereby I can contribute to the Administration's mission to

- reduce regulation on the energy industry;
- promote federalism through facilitating cooperation with state environmental action;
- prove false the paradigm that to be pro-energy is to be anti-environment; and
- unleash this country's valuable energy resources so the United States can be truly energy independent.

### WORK EXPERIENCE

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**Akin Gump Strauss Hauer & Feld LLP**, Houston, TX, September 2012–present (including interim year for Texas Supreme Court clerkship)

**Corporate Energy Associate Counsel/Advise/Manage** a diverse group of clients in the global energy sector involving oil and gas, solar power, natural resources, and fossil fuels, with a practice focus on mergers and acquisitions, divestitures, capital markets, securities regulations, corporate governance, debt and equity offerings, debt and financial restructuring, bankruptcy, and other complex corporate matters. I have served as a lead associate managing significant transactions through the Houston and Washington, DC offices.

#### Professional Recognition

- Named Woodrow B. Seals Outstanding Young Lawyer of Houston Award, 2017
- Texas Rising Star, Texas Monthly 2017

### CLERKSHIP, FELLOWSHIPS, JUDICIAL EXTERNSHIPS

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**Texas Supreme Court, Hon. Don Willett, Personal Matters/Ex. 6** Law Clerk

Drafted opinions and memoranda for both Court-wide discussion and Justice Willett's personal review; briefed the Court and fielded questions at monthly conferences on circulated draft opinions.

**John Marshall Fellowship**, Claremont Institute Center for Constitutional Jurisprudence, Personal Matters/Ex. 6

**James Wilson Fellowship**, James Wilson Institute on Natural Rights & the American Founding, Personal Matters/Ex. 6

**United States Fifth Circuit Court of Appeals**, Hon. Jennifer Walker Elrod, Personal Matters/Ex. 6

**United States Court for the Southern District of Texas**, Hon. Nancy Atlas, Personal Matters/Ex. 6

**Texas First Court of Appeals**, Chief Justice Sherry Radack, Personal Matters/Ex. 6

## EDUCATION

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### University of Houston Law Center, Juris Doctor, Personal Matters/Ex. 6

- Harvard Journal of Law and Public Policy , editor
- Houston Law Review, editor
- Research Assistant, Administrative Law, Professor Sapna Kumar
- University of Houston Legal Writing Center, legal writing tutor
- Order of the Barons, scholastic honor society
- Received 11 scholarships: Dean's Scholarship ; Academic Merit Scholarship; Houston Bar Association Auxiliary Scholarship; Aggies in the Legal Profession Scholarship; Joan Garfinkel Glantz Scholarship for best paper in civil liberties ; Ron Bass Scholarship; Garland R. Walker Scholarship; Association of Corporate Counsel Scholarship; University of Houston System Award for Distinguished Service to Women; Chickasaw Nation Academic Excellence Scholarship; Chickasaw Nation Judicial Fellowship

### Texas A&M University, Bachelor of Arts, Personal Matters/Ex. 6

- NET Ministries: served on year-long mission trip in Australia
- Buck Weirus Spirit Award
- Distinguished Student College of Liberal Arts
- Public Policy Scholarship recipient

## COMMUNITY SERVICE

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### Pontifical International Observatory, March 2013–present, Rome Italy

United States Initiative Director, Appointed under Pope Benedict XVI and Pope Francis to assist the College of Cardinals in an international youth poverty and religious liberty project; past member of the National Advisory Council to the US Conference of Catholic Bishops as one of sixteen lay advisors to US Bishops.

**Epiphany of the Lord Catholic Church**, Member of church's elementary school capital campaign committee and principal search and interview committee to build the first Catholic elementary school

### Memberships

Federalist Society Houston chapter, Vice President  
Republican National Lawyers Association, member  
Garland R. Walker American Inns of Court, member  
Involved in supporting conservative candidates at the state and local level

***Please see the attached deal sheet for a list of oil and gas, energy, renewables, and corporate projects I have worked on.***

MARCELLA BURKE

## Ex. 6 - Personal Privacy

### Corporate representations include:

#### Upstream/ Midstream Mergers & Acquisitions

- Advise publicly held E&P in the potential acquisition of properties in the Bakken Shale, North Dakota
- Represent E&P in the acquisition of producing and undeveloped oil and gas assets in Canadian, Blaine, Kingfisher, and Major Counties, Oklahoma
- Advise publicly held midstream company on acquiring water supply, sewerage, and refuse systems midstream assets in the Appalachian Basin
- Represent natural gas liquids E&P in the acquisition of undeveloped acreage and producing properties in the Sooner Trend Anadarko Basin, Canadian, Kingfisher Counties, Oklahoma
- Representation of South Korean energy company in the negotiation of a liquefaction tolling agreement with a subsidiary of a private LNG company
- Assist private equity buyer with an equity investment in propane storage and delivery business in Kenya
- Represent publicly held E&P in connection with its joint venture with publicly held MLP
- Represent publicly held upstream oil & gas company in the acquisition of oil and gas assets through the purchase of two subsidiaries
- Represent independent oil and natural gas company in connection with the proposed acquisition of oil and gas assets from a privately held oil and gas company
- Assist publicly held E&P in raising capital to finance a transaction with Anadarko Petroleum
- Represent petroleum, natural gas, and natural gas liquids E&P in the negotiation and documentation of the divestiture of oil and gas assets
- Represent publicly held tubing company in connection with possible joint venture with major steel production company
- Represent publicly held company in connection with the potential private equity acquisition of company outstanding membership interests
- Represented the underlying company in \$100 million acquisition by an affiliate

#### Renewable/ Solar

- Provide assistance to Fortune 200 global power company for a loan for the construction of solar projects
- Assist utility scale solar and commercial solar energy systems provider with the negotiation and purchases of a portfolio of solar projects
- Represent publicly held company in the purchase of land holding company affiliates, which own multiple solar project sites
- Negotiate the sale of renewable projects to a major electric and natural gas utility
- Represent manufacture of crystalline silicon photovoltaic cells, roof tiles and solar panels in tax equity transaction
- Advise residential solar service provider on tax-equity raise negotiations and advice
- Advise developer in the formation of a partnership with a tax-equity investor to own a solar project
- Negotiate the sale of a private solar panel manufacturer

## Financial Restructuring/ Finance

- Represent the Official Committee of Unsecured Creditors of a major petroleum and natural gas E&P in connection with Chapter 11 proceedings and its affiliated debtors
- Assist with the proposed acquisition of a privately owned petrochemical plant which produces waxes, drilling fluids, diesel, and naphtha through a Chapter 11 sale process
- Assist global provider of offshore contract drilling and liftboat services to the oil and gas industry with the sale of its assets (primarily offshore oil rigs), including evaluating potential bids
- Advised private equity client in the potential purchase of secured debt of an oil and gas company
- Represented publicly held company in negotiations of a \$1.3 billion syndicated credit facility
- Represented private aircraft company in an \$8 million aircraft acquisition financing

## Securities/ Governance

- Provided securities law advice regarding 1934 Act obligations to one of the largest independent oil and gas companies in the United States
- Advise Fortune 500 independent oil and natural gas E&P company regarding compliance with securities laws, including its 1934 Act reporting and compliance obligations and its NYSE reporting and compliance obligations
- Advise publicly held propane supplier on SEC reporting and MLP governance matters
- Represent conflicts committee of publicly held company in potential acquisition by its midstream company of assets from the Sponsor
- Advise client in connection with resolution of conflicts of interest matters in connection with multiple drop down transactions
- Representation of privately owned hedge fund sponsor in a restructuring of offshore deepwater drilling company

## Energy Litigation Associate Personal Matters/Ex. 6

- Drafted and compiled pre-trial discovery, trial motions, and pleadings for complex corporate matters
- Sat second chair in Fifth Circuit argument in which I assisted drafting the appellate brief

## Semper Fi Injured Marines Fund

Much of my pro bono work focuses on helping military families with children with special needs get adequate health care.

- Represented a Navy Seal in an appeal from the government's claim that his heart did not qualify as an organ under the military health care statute
- Represented the special-needs daughter of a Navy captain in an appeal from the government's claim that her life-saving healthcare was not covered under Tricare
- Named firm-wide "Pro-Bono Associate of the Year" for serving as lead counsel defending disabled children of military veterans
- TIME Magazine called me a "dynamo of a lawyer" in the article, "The Pentagon's Letting Down Our Kids"
- The Atlantic called me "a smart attorney with the powerful Akin Gump law firm" in the article, "Why Congress Should Pass 'Kaitlyn's Law' Today"