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Gibson Dunn Secures Over $660 Million in Damages in a Resounding Verdict for Energy Transfer

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A Gibson Dunn trial team secured a resounding victory for client Energy Transfer in a case that held that First Amendment rights did not extend to violent and destructive behavior. After more than three weeks of trial in North Dakota, a state court jury awarded over $660 million in damages against Greenpeace and its affiliates. Energy Transfer had argued that Greenpeace had facilitated trespass, nuisance, and civil conspiracy in relation to demonstrations held against the Dakota Access Pipeline.

Energy Transfer turned to Gibson Dunn after the case survived the motion to dismiss phase, seeking seasoned trial counsel. In what was termed the “ground torts,” encompassing physical damage to the pipeline and equipment, along with increased security costs, Gibson Dunn aimed to prove that the people on the ground in North Dakota were funded and coordinated by trainers sent and paid for by Greenpeace to organize everyone in the camps surrounding the construction. Gibson Dunn also significantly narrowed the defamation claims to the nine most malicious statements, specifically designed to harm Energy Transfer’s standing in the international finance community, to show that Greenpeace deceptively and maliciously communicated with the international finance community in a malicious and deceptive way to “toxify” any relationship with Energy Transfer.

The Gibson Dunn team included partners Trey Cox, Collin Cox, and Gregg Costa, and associates Ben Betner, Travis Jones, Lara Kakish, Brian Sanders, Bryston Gallegos, Cody Johnson, Johanna Smith, and Hunter Heck.

The case is *Energy Transfer v. Greenpeace, Inc*. No. 30-2019-0V-00180 (N.D. Dist. Ct.)

Related Capabilities

Litigation

Related People

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