

Tony Tootell

Partner

ttootell@foley.com

Los Angeles

213.972.4796



Tony Tootell is an energy litigation lawyer focusing on renewable and alternative energy dispute resolution and litigation in both federal and state courts nationwide, and national and international arbitration forums. He is a partner in the firm's Energy Litigation Practice Group and Energy Sector, as well as the Appellate, Business Litigation & Dispute Resolution, and Consumer Law, Finance & Class Action Practice Group.

Tony represents clients in contract and business tort claims, construction, and manufacturing disputes, as well as real estate, regulatory, and tariff issues. He has extensive experience advising domestic and international renewable energy industry clients on all issues relating to their business and the industry. He has handled numerous utility scale solar project disputes regarding EPC agreements, including performance, delay, liquidated damages, change orders, permitting, and force majeure. Tony's trial experience includes bench trials involving option contracts, environmental indemnity claims, and land use disputes.

Tony is also the hiring partner for the firm's Los Angeles office and serves as the professional responsibility partner for the Los Angeles and San Francisco offices.

Representative Experience

- Advises a publicly traded international manufacturer of solar modules and developer of large utility scale solar projects.
- Handled an international arbitration, and associated bankruptcy proceeding, for fuel cell engine developer against foreign entity claiming breach of contract.
- Defending solar power generator in multidistrict Litigation arising out of winter storm Uri in Texas.
- Representing client purchaser of natural gas power plant in litigation against seller for breach of contract, representations, and warranties.
- Representing client contractor in dispute involving 10-year overhaul of one of the largest hydroelectric pumped storage power plants in the world.

- Advised jointly represented seller and purchaser of a solar project in negotiating a favorable resolution of US\$1m contractor claim.
- Assisted solar energy developer in negotiating settlement of eight related solar project construction disputes in North Carolina regarding systemic and catastrophic performance and delay issues in international arbitration.
- Handled dispute with solar developer and construction company regarding claims of systemic defects in solar modules provided by client for US\$275m project.
- Obtained dismissal of suit against solar energy client alleging breach of contract for large solar energy development.
- Advised solar energy client on conditional use permits for solar project in Idaho.
- Handled disputes for solar energy clients on long term supply agreements.
- Handled dispute for solar developer client with supplier of inverters for four solar projects in two different states.
- Advised client on purchase of solar project in Connecticut involving legal challenge to zoning and development plan allowing for solar farms.
- Advised client on the impact of Puerto Rican bankruptcy on pending renewable projects in the territory.

Awards and Recognition

- *Southern California Super Lawyers – Rising Stars (2013-2014)*

Affiliations

- Association of Business Trial Lawyers' Board of Governors
- Member, Los Angeles County Bar Association
- Member, American Bar Association

Sectors

- [Energy](#)
- [Payments Technology](#)
- [Racial Justice & Equity](#)
- [Renewables](#)

Practice Areas

- [Appellate](#)
- [Business Litigation & Dispute Resolution](#)
- [Consumer Law, Finance & Class Action Group](#)
- [Energy Litigation](#)
- [Financial Institutions](#)
- [Litigation](#)

Education



FOLEY & LARDNER LLP

- University of Southern California (J.D., 2004)
 - Member, *Southern California Law Review*
- University of Southern California (B.A., 2001)
 - History

Admissions

- California
- U.S. Court of Appeals for the 9th Circuit
- U.S. District Courts for California and the Eastern District of Michigan