

FOR IMMEDIATE RELEASE
Wednesday, June 27, 2012
[PERMALINK](#)

CONTACT: [Crystal Feldman](#), [Spencer Pederson](#) or [Jill Strait](#)
202-226-9019

DOJ Documents Confirm Center for Biological Diversity Received Millions in Taxpayer Funds from ESA-Related Lawsuits

WASHINGTON, D.C. – The Center for Biological Diversity today sent a letter to House Natural Resources Committee Chairman Doc Hastings claiming their organization had only received \$553,000 in taxpayer funds resulting from Endangered Species Act (ESA) related attorney fees and court cases. This claim conflicts with data obtained from the Department of Justice (DOJ), which shows over \$2 million in taxpayer dollars have been paid out to the Center for Biological Diversity and their attorneys for cases open between 2009-2012.

The Center for Biological Diversity appears to have derived their erroneous number by including only checks made out directly to the Center for Biological Diversity over a select period of years. Attorney fees are typically paid out to the attorney of record. The Center for Biological Diversity is conveniently failing to include the majority of funds that were paid directly to their hired lawyers. Nine of the lawyers who have received payouts are currently employed by the Center for Biological Diversity.

“American taxpayers have a right to know how much of their money is going to pay attorneys and settlement costs for lawsuit-happy organizations that make a living off of suing the federal government. The numbers from the Justice Department speak for themselves,” said Chairman Hastings. “One frequent collector of taxpayer dollars spent a week inventing a way to misconstrue and hide data to make it appear as though they haven’t received millions in taxpayer dollars. The most direct way to have openness and transparency on exactly what funds a group has taken from taxpayers in ESA-related settlement and attorney fees is for them to publicly reveal all of their data for the past two decades.”

On March 19, 2012, Chairman Hastings sent a [letter](#) to the Environment and Natural Resources Division of the Department of Justice asking for detailed information on how much taxpayer money is being spent on ESA-related litigation and settlements. In response to this request, DOJ ran a search through their Case Management System (“CMS”) and provided the Committee information based on all cases where the ESA was one of the statutes at issue in the litigation.

According to this [document](#) from the DOJ containing 276 pages of case information, the Center for Biological Diversity was involved in over 50 individual cases, open between 2009 and 2012, where they were the lead plaintiff. The amount of attorney fees and court costs associated with these cases is \$2,286,686.91. Of this amount, \$138,114.45 was in

court costs and \$2,148,572.46 was in attorney fees.

These five examples alone of court cases filed by the Center for Biological Diversity where CBD received attorney fee payments between 2009-2012 far exceeds the \$553,00 that the Center for Biological Diversity claims to have received:

- Center for Biological Diversity v. Environmental Protection Agency, et. al. in California; paid \$172,000 on November 22, 2010 to attorney for CBD Justin Augustine.
- Center for Biological Diversity et. al., v. U.S. Army Corps of Engineers in Montana; paid \$165,000 on March 23, 2009 to attorney for CBD Geoff Hickox.
- Center for Biological Diversity et. al., v. Kempthorne in Arizona; paid \$159,044 on February 9, 2012 to attorney for CBD Melanie Kay.
- Center for Biological Diversity v. U.S. Fish and Wildlife Service in Arizona; paid \$95,000 on April 23, 2010 to attorney for CBD Geoff Hickox.
- Center for Biological Diversity et. al., v. Kempthorne in Arizona; paid \$51,866 on August 13, 2009 to attorney for CBD John T. Buse.

###

<http://naturalresources.house.gov>

[Facebook](#) | [YouTube](#) | [Twitter](#)