



R. MICHAEL UNDERHILL

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Mike Underhill is the Attorney in Charge of the West Coast and Pacific Rim Office of the Aviation, Space & Admiralty Litigation section of the U.S. Department of Justice. Mr. Underhill represents the United States in affirmative and defensive admiralty tort cases and maritime commercial litigation. His practice includes maritime environmental matters on behalf of the federal government, including cases such as EXXON VALDEZ, M/V NEW CARISSA, and M/V COSCO BUSAN, which struck the San Francisco-Oakland Bay Bridge in 2007. He currently is lead trial counsel for the United States in the multi-party Limitation of Liability action filed in the Southern District of New York by the owners of the Liberian registered vessel that collided with USS JOHN S MCCAIN in the Singapore Strait. Mr. Underhill also recently concluded a \$26.4 million settlement of the U.S. Navy's hull damage claims against the foreign owner of the vessel which collided with USS FITZGERALD offshore Japan in 2017.

In 2010, Mr. Underhill was appointed by the District Court in New Orleans as the U.S. Government Liaison Counsel in the *Deepwater Horizon*-BP Gulf Oil Spill Multi-District Litigation. He then served as the United States' lead trial counsel in the Phase One liability trial. In September 2014, the Court issued its liability findings, holding that the United States had proved that BP was grossly negligent and had acted with willful misconduct. During pendency of BP's appeal, BP agreed to a \$20 billion-plus global settlement with the United States and five Gulf States. As a result of the settlement, the United States received \$5.5 billion to settle its Clean Water Act civil penalty claims, and \$8.1 billion to resolve claims for natural resource damages. The civil penalty is the highest single defendant civil penalty ever paid.

Mr. Underhill received his undergraduate degree from the University of California at Berkeley. Prior to law school, Mr. Underhill lived in Alaska for five years, working as a logger, fisherman, and merchant mariner. He received his J.D., *cum laude*, from the University of San Francisco in 1982, and later served as an Adjunct Professor of Maritime Law and Maritime Environmental Law at USF.