

Robert S. Fleishman



Robert Fleishman is a retired corporate partner at Kirkland & Ellis based in Washington, D.C. He has a stellar reputation for advising companies on the energy regulatory and compliance aspects of transactions and other energy market activities. He advised clients on energy regulatory, transactional, M&A, financing, bankruptcy restructuring, capital markets, and commercial matters across the energy sector, including electricity, natural gas, oil, oil and products pipelines, renewable energy resources, energy storage, and distributed energy resources. He has also defended energy and financial industry participants and individuals in energy markets against charges of market manipulation, particularly before the Federal Energy Regulatory Commission (FERC), the Commodity Futures Trading Commission (CFTC) and other regulatory bodies.

Mr. Fleishman has been recognized in energy regulatory law by Chambers Global, Chambers USA, Best Lawyers in America, Energy, and The Legal 500 US. He was named by The National Law Journal to its list of Energy & Environmental Trailblazers, was honored by the Energy Bar Association (EBA) with the EBA [President's Award](#) and the Paul E. Nordstrom Service Award and also received the Center for the Advancement of Energy Markets Service Award. Mr. Fleishman served as Editor-In-Chief of the Energy Law Journal for 15 years and is a past president of the Energy Bar Association.

Areas of Expertise:

- DISPUTE RESOLUTION
- ENERGY REGULATION & TRADING
- ENERGY & INFRASTRUCTURE
- ENVIRONMENTAL & CLIMATE
- TRANSACTIONAL

Training and Relevant ADR Experience

- Serves on the ADR panels of several electric Regional Transmission Organizations/Independent System Operators;
- Served as a Board Member and later as President of the Community Mediation Program (CMP), which provided free mediation services to hundreds of low-income individuals in

Baltimore from 1999-2004. At CMP, he trained more than a dozen individuals to serve as community mediators;

- Trained arbitrator and mediator, having taken courses provided by AAA, CPR, and the Center for Dispute Resolution at the University of Maryland School of Law;
- Serves on the CPR Institute's Energy, Oil and Gas Panel of Neutrals;
- Moderated a panel on Energy ADR and Ethics at the EBA Annual Meeting in May 2025. Panelists included a former Chief Judge of the U.S. Court of Federal Claims, a former U.S. bankruptcy judge, and a former FERC ALJ;
- Served on AAA's National Roster of Neutrals;
- Co-Chair of the Energy ADR Forum and Project Director, [ADR Forum Report](#) and made multiple related presentations to energy and ADR organizations;
- Developed an extensive, systematic and cost-effective ADR Program at Constellation Energy Group and Baltimore Gas & Electric Co.;
- Held leadership roles in three ADR organizations: Chairman of the ADR Committee of the EBA; Chairman of the Business Initiative for the Maryland Mediation & Conflict Resolution Office (MACRO) under the auspices of former Maryland Chief Judge Robert Bell; and President of the Community Mediation Program in Baltimore; and
- Successfully led the process for an extensive benchmarking study on the use of ADR in the Maryland business community, jointly published by MACRO and the Maryland Chamber of Commerce.

Mediation Experience

- Served as a mediator between Pacific Gas & Electric and The City/County of San Francisco in 2006-07. The parties successfully restructured their commercial relationship in California's electricity markets. The mediation involved about 20 full-day sessions and resulted in multiple settlements at the FERC.
- Served as a mediator in a successful mediation between two significant energy trading companies in 2010.
- Served as a mediator in a court-ordered mediation between two energy companies in a U.S. federal district court proceeding in 2011.
- Represented a defendant in a court-ordered mediation arising from a CFTC Enforcement proceeding in a U.S. federal district court in 2012-13.



- Represented ETRACOM, a financial energy trading company, in a successful mediation arising from a FERC Enforcement proceeding in a U.S. federal district court in 2017-18.
- Represented Voltus, a demand response company, in ADR proceedings with FERC Enforcement and MISO in 2023-24.

Education

Mr. Fleishman received his B.A. from Georgetown University and his J.D. from Boston University School of Law.

Admission

- District of Columbia
- Supreme Court of the United States
- United States Court of Appeals for the District of Columbia Circuit

Recognition

- Chambers Global, Energy: Electricity (Regulatory & Litigation) and Energy: Oil & Gas (Regulatory & Litigation), USA, 2022–2024
- Chambers USA, Energy Regulatory Law, 2010–2024
- Best Lawyers in America, Energy, 2007–2022
- The Legal 500 US, 2008–2010; 2012–2013; 2015–2024
- EBA President's Award, 2019
- The National Law Journal, 2017 Energy & Environmental Trailblazers
- EBA, Paul E. Nordstrom Service Award, 2016
- Center for the Advancement of Energy Markets Service Award, 2005