

# Balch & Bingham lawyer, Drummond executive convicted in federal bribery case

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David Roberson and Joel Gilbert (*file*)

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A Balch & Bingham attorney and the Drummond Company Vice President of Government Affairs have been found guilty on all federal charges involving bribery of an Alabama legislator.

The verdict was announced late Friday afternoon after a four-week trial.

Balch partner Joel Gilbert and Drummond VP David Roberson were convicted on all six criminal charges: conspiracy, bribery, three counts of honest services wire fraud, and money laundering.

They were on trial together, but jurors were told to consider their actions and cases separately.

Prosecutors said the two men bribed former state Rep. Oliver Robinson [to oppose the](#) Environmental Protection Agency's expansion of a Superfund site, and also to oppose prioritizing the site's expensive cleanup.



U.S. Attorney Jay Town said after the verdict that the case was not about the EPA nor about pollution. "This was a case about greed at the expense of too many," he stated in a prepared release.

"The findings of guilt for these three individuals, by trial or plea, should forewarn anyone who would be corruptly motivated to act in similar unlawful interest," Town stated. "Voters deserve public officials who seek to represent them honestly and fairly. When elected officials, corporate executives or their lawyers violate our federal laws, they should expect to suffer the fate of these three guilty defendants. We appreciate the dedication of the federal agencies that worked tirelessly on this case."

Drummond Co. immediately issued a statement after the verdict.

"We are disappointed by the jury's decision to convict our employee, David Roberson. While we respect the judicial process, we consider David to be a man of integrity who would not knowingly engage in wrongdoing," according to the Drummond statement.

When an environmentalist group raised allegations regarding our operations in the Birmingham area, Drummond responded by hiring one of Alabama's most well-respected environmental law firms. As testimony in the trial showed, we were assured the firm's community outreach efforts on our behalf were legal and proper."

Stan Blanton, Managing Partner, Balch & Bingham LLP, also issued a statement that says Gilbert is no longer with the firm. "We respect the trial process and the jury's verdict. The jury determined that Joel Gilbert engaged in conduct that is contrary to the standards to which each of us at Balch & Bingham is committed and expected to uphold," he stated.

"Although our firm was not a party to the case, I and the rest of our partners, associates and staff are deeply disappointed in any conduct that does not adhere to our commitment to the rule of law and to the communities in which we are fortunate to live and work," Blanton stated. "We all greatly value the trust our clients place in us and have redoubled our efforts to earn that trust. Mr. Gilbert is no longer a partner with or employed by Balch & Bingham."

Another Balch lawyer, Steven McKinney, was also charged in the conspiracy--but he was dismissed from the case one day before closing arguments began. U.S. District Judge Abdul Kallon, who is presiding over the case, didn't elaborate on the details of McKinney's dismissal. And McKinney's lawyers didn't comment to AL.com, and court records weren't immediately available.



### North Birmingham residents 'forgotten' during trial

Some northern Birmingham residents think justice will not be truly served during a federal bribery trial involving a former state representative, a coal company executive and a lawyer.

According to [prosecutors](#), the men formed a contract through Balch with Robinson's nonprofit organization to pressure state officials to oppose the EPA, to meet with EPA representatives, and vote on a joint resolution in the legislature to denounce the expansion and Superfund site being named on the EPA's National Priorities List. Defense teams for both men said Robinson acted alone, and the contract with his foundation was for legitimate community outreach work. They said Robinson's allegations about Gilbert and Roberson shouldn't be trusted.

During the [four weeks of testimony](#), dozens of witnesses took the stand to talk about their conversations or relationships with Gilbert and Roberson. Scores of billing records from Balch, which showed Gilbert and McKinney logging hours working on Drummond matters, were shown in court, along with emails between the men. Robinson took the stand during the trial, saying he was first approached by Roberson in 2014 and asked if he would be interested in working with Balch and Drummond on the EPA matter. Robinson met with Gilbert, and a contract between his organization--The Oliver Robinson Foundation-- and Balch was signed in early 2015.



## One Balch lawyer dismissed from bribery scheme case

U.S. District Judge Abdul Kallon told jurors Steven McKinney was no longer part of the case, but didn't elaborate on the details of his dismissal.

Days after the contract was signed and Robinson picked up a \$14,000 check from Balch, Robinson said he went to an Alabama Environmental Management Commission meeting and spoke on behalf of Balch and Drummond, using talking points he said Gilbert wrote.

Gilbert and Roberson's lawyers said no one forced Robinson to go to that meeting, and the check was for community work--not the meeting appearance.

Robinson has [pleaded](#) guilty to several federal charges, but has not yet been sentenced.



## EPA cleanup goes on at north Birmingham Superfund site

EPA officials say the efforts will continue for at least two more years.