Natural Resource Damages

Including a special panel on Deepwater Horizon after 10 years

March 26 & 27, 2020
Washington, District of Columbia
Arnold & Porter Conference Center

Credits: 11.00 CA MCLE | 10.75 LA CLE | 12.50 NJ CLE | 12.50 NY CLE | 10.75 TX CLE
10.75 WA CLE | 10.75 ABCEP (call about others)

Quick when/where: 8:30 a.m., 601 Massachusetts Ave, NW

Audio & Video Replays Available!
Thursday, March 26, 2020

8:00 Registration Opens
8:30 Introduction & Overview
   Brian Israel, Esq., Program Co-Chair
   Arnold & Porter ~ Washington, DC
   Ira M. Gottlieb, Esq., Program Co-Chair
   McCarter & English ~ Newark, NJ

8:45 Special Opening Address: Environmental Law and the New Decade — A View from the U.S. Department of Justice
   Jeffrey B. Clark, Esq., Assistant Attorney General for ENRD
   U.S. Department of Justice ~ Washington, DC

9:15 The Federal Trustee Perspectives — Challenges and Opportunities
   Two federal agencies, NOAA and DOI, are responsible for bringing most federal NRD claims. In this question-and-answer session, senior representatives from both agencies will address their current docket, priorities and related topics
   Chauncey Kelly, Esq., Chief, Natural Resources Section
   NOAA ~ Silver Spring, MD
   John Rudolph, Esq., Attorney-Advisor
   U.S. Department of the Interior ~ Washington, DC

10:15 Break
10:30 The State Perspective
   States maintain their own NRD programs, sometimes in collaboration and often independent of federal efforts: What are the recent trends in state NRD policy and enforcement?
   Susan Boyle, Senior Consultant
   GEI Consultants ~ Mt Laurel, NJ
   Andrew O. Guglielmi, Esq.
   Senior Attorney, Office of General Counsel
   New York State Department of Environmental Conservation
   Albany, NY
   Shawn M. LaTourette, Esq., Chief of Staff
   New Jersey Department of Environmental Protection ~ Trenton, NJ
   Marc A. Rollo, Esq.
   Archer & Greiner ~ Haddonfield, NJ

12:00 Lunch (on your own)

1:15 Special Address on Ecological Restoration: Planning for Success
   The Hon. Garret Graves, (R) Louisiana
   U.S. House of Representatives ~ Washington, DC

1:45 Deepwater Horizon 10 Years Later: Lessons Learned for Restoration Planning
   This year marks the 10th anniversary of the Deepwater Horizon incident and 5 years since the historic NRD settlement was announced: What lessons have been learned for restoration planning?
   Trudy D. Fisher, Esq.
   Butler Snow ~ Ridgeland, MS
   Samuel W. (Billy) Plauche, IV, Esq.
   Plauche & Carr ~ Seattle, WA
   Lois J. Schiffer, Esq., General Counsel (retired)
   NOAA ~ Silver Spring, MD
   R. Cooper Shattuck, Esq.
   Cooper Shattuck LLC ~ Tuscaloosa, AL
   Bea Stong, Director, Natural Resource Damages (retired)
   BP America ~ Houston, TX

2:30 Ecosystem Restoration — New Legal and Scientific Approaches for the Next Decade
   Rachel Jacobson, Esq.
   Wilmer Cutler Pickering Hale and Dorr ~ Washington, DC
   Mark S. Laska, Ph.D., CEO and President
   Great Ecology ~ New York, NY

3:30 NRD Case Management: Priorities and Pitfalls from a Company Perspective
   Thomas Byrne, Esq., Chief Environmental Counsel
   Honeywell International Inc. ~ Morristown, NJ
   Mary Draves, Esq., VP and Chief Sustainability Officer
   The Dow Chemical Company ~ Midland, MI
   Jean Martin, Esq., Senior Counsel - Litigation & Regulatory
   BP America ~ Houston, TX
   Mary P. Morningstar, Esq., Associate General Counsel
   Lockheed Martin Corporation ~ Washington, DC

4:30 Continue the Exchange of Ideas: Reception & Dinner
   Sponsored by Arnold & Porter and McCarter & English

About the Conference

What previous attendees have said:
“LSI’s NRD conference is the best one!”
“Thank you for great hospitality, excellent presentations!”
“Great balance of professionals.”
“Once again you guys pulled off an amazing seminar!! Thank you.”
Friday, March 27, 2020

Natural Resource Damages Conference

8:30 The Storm is Brewing — Climate Change, Extreme Weather and NRD
Record heat, droughts, wildfires, flooding, and sea level rise: how NRD lawyers and practitioners should incorporate extreme weather events and sea level rise in NRD assessments and restoration planning

Lauren Daniel, Esq.
Arnold & Porter ~ Washington, DC

Mary Capdeville, Esq.
Attorney at Law ~ Spokane, WA

Paul D. Boehm, Ph.D., Group VP & Principal Scientist
Exponent, Inc. ~ Maynard, MA

Robert Haddad, Ph.D., Group VP & Principal Scientist
Exponent, Inc. ~ Menlo Park, CA

10:30 Break

10:45 On Remedies and Restoration — How Current Superfund Reforms are Impacting Natural Resource Damages Cases

Amanda G. Halter, Esq.
Pillsbury Winthrop Shaw Pittman ~ Houston, TX

11:15 When All Else Fails — How to Litigate and Win NRD Cases
While most NRD cases settle, a surprising number of NRD cases have proceeded to trial over the last 10 years: Trial attorneys — representing both trustees and defendants -- will share their secrets to winning

John C. Cruden, Esq., Moderator
Beverage & Diamond ~ Washington, DC

Sarah Peterman Bell, Esq.
Farella Braun + Martel ~ San Francisco, CA

David G. Mandelbaum, Esq.
Greenberg Traurig ~ Philadelphia, PA

Elizabeth B. Petersen, Esq.
Kanner & Whiteley ~ New Orleans, LA

12:30 Evaluations and Adjourn

Audio & Video Replays Available!

Registration & Other Conference Information

To Register:
Call us at: 206-567-4490
Email us at:
registrar@lawseminars.com
Online: www.lawseminars.com
Mail the registration form on the front page.
Walk-ins are welcome, subject to space availability.
Registration is complete when we receive payment or agree to later payment.

Tuition: Regular tuition for this program is $995 with a group rate of $895 each for two or more registrants from the same firm. For Tribal members and government employees, we offer a special rate of $745. For students, people in their job for less than a year, and public interest NGO's, our rate is $497.50. All rates include admission to all program sessions, food and beverages at breaks, and course materials. Make checks payable to Law Seminars International. Financial aid is available to those who qualify. Contact our office for more information.

Substitution & Cancellation: You may substitute another person at any time. We will refund tuition, less a $50 cancellation fee, if we receive your cancellation by 5:00 p.m. on Friday, March 20, 2020. After that time, we will credit your tuition toward attendance at another program or the purchase of an audio or video replay.

Location: The conference will be held at the Arnold & Porter Conference Center at 601 Massachusetts Ave. NW in Washington, DC 20001-3743. Lodging is available at a number of nearby hotels.

Continuing Education Credits: Live credits: This program qualifies for 11.00 CA, 10.75 LA, 12.50 NJ, 12.50 NY, 10.75 TX, and 10.75 WA MCLE credits. It also qualifies for 10.75 ABCEP environmental professional credits. Upon request, we will help you apply for CLE credits in other states and other types of credits.

Time Shift Your Content: Audio podcasts and video replays, with course materials, are available for download or on a flash drive at the same price as live attendance. The course materials alone are available for $100. Replays will be available within five business days after the program or from the date we receive payment.

Ira M. Gottlieb, Program Co-Chair, is a partner at McCarter & English and Practice Group Leader of the Firm’s Environment & Energy Practice Group. He previously served as an Assistant Regional Counsel for the United States Environmental Protection Agency, Region III.

Brian D. Israel, Program Co-Chair, is a partner at Arnold & Porter and chair of the firm’s Environmental Practice Group. He served as lead counsel to BP in relation to the Deepwater Horizon NRD claim and as one of the trial attorneys at the Deepwater Horizon Clean Water Act penalty trial.

The Hon. Garret Graves (R) Louisiana, Special Address, represents Louisiana’s Sixth Congressional District in the U.S. House of Representatives. He has been very active in remediation efforts after Deepwater Horizon.

John C. Cruden, Moderator, is a principal at Beverage & Diamond. He previously served as a senior leader on environmental and natural resource matters at the United States Department of Justice.

Upcoming Programs:

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Online: www.lawseminars.com
Phone: (206) 567-4490
Faculty: Natural Resource Damages Conference

Sarah Peterman Bell is a partner at Farella Braun + Martel. She focuses her practice on environmental and natural resources litigation. The bulk of her expertise involves cases relating to natural resources such as groundwater, surface water, sediments, air, and soil.

Paul D. Boehm, Ph.D., is Group VP & Principal Scientist at Exponent, Inc. He focuses on ecological effects from chemical exposures.

Susan Boyle, Senior Consultant at GEI Consultants previously served as Assistant Commissioner for Site Remediation for the New Jersey Department of Environmental Protection.

Thomas Byrne is Chief Environmental Counsel at Honeywell International Inc.

Mary Capdeville Assists the Legal Pathways to Deep Decarbonization Pro Bono Project, drafting model legislation related to the maritime shipping sector. In November, Mary was awarded an LLM in Global Environment and Climate Change Law from the University of Edinburgh, Scotland. Prior to pursuing her degree, she represented the State of Montana in NRD actions.

Jeffrey B. Clark is the Assistant Attorney General of the Environment and Natural Resources Division of the U.S. Justice Department.

Lauren Daniel is an environmental litigator at Arnold & Porter with particular expertise in NRD litigation and cost recovery.

Mary Draves is VP and Chief Sustainability Officer for the The Dow Chemical Company.

Trudy D. Fisher is a partner at Butler Snow. She formerly served as the head of Mississippi’s Department of Environmental Quality.

Andrew O. Guglielm is Senior Attorney, Office of General Counsel for the New York State Department of Environmental Conservation.

Robert Haddad, Ph.D., is Group VP & Principal Scientist at Exponent, Inc. He previously served as one of three leads for NOAA’s Damage Assessment, Remediation, Restoration Program (DARP).

Amanda G. Halter is a partner at Pillsbury Winthrop Shaw Pittman. Her environmental practice includes groundwater contamination and contaminated site matters.

Rachel Jacobson is special counsel to Wilmer Cutler Pickering Hale and Dorr. She formerly held senior positions at DOJ, DOI and DOD.

Chauncey Kelly is Section Chief for the Natural Resources Section at the National Oceanic and Atmospheric Administration.

Mark S. Laska, Ph.D., is CEO and President of Great Ecology. His expertise includes ecological habitat restoration and NRD banking.

Shawn M. LaTourette is Chief of Staff for the New Jersey Department of Environmental Protection.

David G. Mandelbaum is Co-Chair of the Environmental Practice at Greenberg Traurig.

Jean Martin is Senior Counsel - Litigation & Regulatory at BP America. She was one of BP’s leads in the Deepwater Horizon case.

Mary P. Morningstar is Associate General Counsel at Lockheed Martin Corporation.

Elizabeth B. Petersen is a member of Kanner & Whiteley. She primarily focuses on environmental litigation, including NRD.

Samuel W. (Billy) Plauche, IV, Plauche & Carr, represents the State of Louisiana in the Deepwater Horizon case and served as chair of the Trustee Council.

Marc A. Rollo is Chair of the Environmental Law Department at Archer & Greiner.

John Rudolph is Attorney-Advisor for the Restoration Program at the U.S. Department of the Interior.

Lois J. Schiffer is General Counsel (retired) for the National Oceanic and Atmospheric Administration.

R. Cooper Shattuck, Cooper Shattuck LLC, He previously served as Chief Legal Advisor to the Governor of Alabama during the aftermath of the Deepwater Horizon oil spill.

Bea Stong recently retired as Director, Natural Resource Damages for BP America.

Who Should Attend:
In-house, private, and government attorneys; trustee representatives; senior executives and risk managers; consultants and others who are involved in natural resource damage policy, assessments, and claims

You Will Learn About:
- Policy Priorities at the DOJ’s Environment and Natural Resources Division (ENRD)
- NOAA and DOI trustees on current NRD challenges
- New state-level environmental enforcement developments
- Deepwater Horizon lessons for restoration planning
- Third-party restoration banking mechanisms
- In-house counsel tips for NRD case management
- Climate change and NRD
- Trial strategies

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