The Fifth Annual Advanced Conference on

Natural Resource Damages

New developments and emerging strategies

November 12 & 13, 2009
Newark, New Jersey
Hilton Newark Penn Station Hotel

Credits: NY CLE 14.5 (non-transitional) | PA CLE 12.5 (call about others)
Quick when/where: 8:30 a.m., Gateway Center at Raymond Boulevard

Featuring Speakers From:
- Arnold & Porter LLP
- Beveridge & Diamond PC
- Buzzi Unicem USA, Inc.
- Conservation Resources Inc.
- Curley & Associates LLC
- Environmental Economics Services, LLC
- Farella Braun + Martel LLP
- Great Ecology and Environments, Inc.
- Groff Murphy, PLLC
- Hollingsworth LLP
- Industrial Economics, Incorporated
- ITT Corporation
- Jackson Gilmour & Dobbs, PC
- K&L Gates LLP
- Latham & Watkins LLP
- LECG, LLC
- McCarter & English, LLP
- Riddell Williams P.S.
- U.S. Department of the Interior
- Veritas Economic Consulting, LLC

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Natural Resource Damages Conference
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Hilton Newark Penn Station Hotel

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If you cannot attend, check boxes to order:
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To complete your registration, please send a check or complete the credit card information below:
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09NRDNJ WS
Natural Resource Damage litigation is at the cutting edge of environmental law. NRD claims in state and federal courts across the United States, and associated state statutory and common law claims, present complex strategic, tactical and substantive issues for both natural resource trustees and potentially responsible parties.

What are the latest trends in NRD law? What are the limits of NRD claims? What legal principles will trustees rely upon? How will trustees use statutes to avoid recent federal and state NRD decisions? How can trustees and responsible parties best position themselves during the natural resource injury assessment process? What are the most effective (and least effective) NRD claims? What are the most effective (and least effective) defenses to NRD claims? How are NRD injuries monetized? What are the best strategies and tactics to handle large, complex NRD litigation? What innovative strategies are available for settling NRD claims?

These and other questions will be discussed at this conference. Our faculty is drawn from senior environmental leaders across the country. They come from affected industry, federal and state government, nationally recognized plaintiff and defense firms, and environmental and economic consultant practices directly involved in the precedent-setting NRD lawsuits resolved in the last five years.

Serious environmental practitioners will not want to miss this event.

~ Program Co-Chairs: Ira Gottlieb, Esq. and Stephen T. Parkinson, Esq.
Friday, November 13, 2009

8:00  Registration and Continental Breakfast

8:30  Restoration Banking, Habitat Equivalency and Other Innovative Settlement Strategies

Restoration Banking: Evolving trustee perspectives on upfront restoration, how it works; how credit system might be established

Mark S. Laska, Ph.D., CEO and President
Great Ecology and Environments, Inc. ~ New York, NY

Case study on the use of ADR techniques at Hylebos Waterway near Tacoma; economic incentives for PRPs to construct compensatory wetlands and trade credits for excess ecological value

William J. Hengemihle, Managing Director
LECG, LLC ~ Wayne, PA

Land preservation and restoration; current issues in settlements; quantifying damages; settlement case studies: Tabernacle Drum, Hatco, South Jersey Industries

Michael Catania, President
Conservation Resources Inc. ~ Chester, NJ

10:00  Break

10:15  Economics of NRD

Valuating claims; economic methodologies; surveys; update on DOI regulations; random utility models; conjoint analysis; Are the numbers appropriate?

Rick Dunford, Ph.D., Owner
Environmental Economics Services, LLC ~ Raleigh, NC

Jason C. Kinnell, Principal Economist
Veritas Economic Consulting, LLC ~ Cary, NC

Robert E. Unsworth, President
Industrial Economics, Incorporated ~ Cambridge, MA

10:45  What’s Next in NRD?

Future trends and developments

Brian D. Israel, Esq.
Arnold & Porter LLP ~ Washington, DC

12:15  Lunch (on your own)

1:30  Update on Rule 702: Perspectives on Key Daubert Issues in NRD Cases

The use of Daubert to challenge plaintiffs’ NRD experts and expert theories

Eric G. Lasker, Esq.
Hollingsworth LLP ~ Washington, DC

2:15  New Developments in the Cooperative Assessment Process

Recent developments in cooperative assessment processes in Portland Harbor, Newark Bay and other sites around the country

Stephen T. Parkinson, Esq., Program Co-Chair
Mark Barash, Esq., Senior Associate
U.S. Department of the Interior ~ Boston, MA

Rachel DelVecchio, Senior Associate
Industrial Economics, Incorporated ~ Cambridge, MA

3:30  Evaluations and Adjourn

Upcoming Seminars:

Wind and Solar Project Development & Permitting
October 23, 2009
Chicago, IL

Stormwater Regulation in New England
November 6, 2009
Boston, MA

Energy in the Northeast
November 9 & 10, 2009
Boston, MA

Commercial Real Estate Workouts & Remedies
November 11, 2009
Chicago, IL

See more at www.lawseminars.com

To Register:

Call us at: 800-854-8009 or 206-567-4490
Fax the registration form to us at: 206-567-5058
Email us at: registrar@lawseminars.com
Web site: 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 in-person or webcast attendance for this program is $995 with a group rate of $845 each for two or more registrants from the same firm. For government employees, we offer a special rate of $695. For students and people in their job for less than a year, our rate is $497.50. All rates include admission to all seminar sessions, food and beverages at breaks, and all course materials. Make checks payable to Law Seminars International.

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, November 6, 2009. After that time, we will credit your tuition toward attendance at another program or the purchase of a Homestudy. There is a $25 cancellation fee for Course Materials orders and $50 for Homestudy orders.

Seminar Location: The conference will be held at the Hilton Newark Penn Station Hotel at Gateway Center at Raymond Boulevard in Newark, NJ 07102. Call the hotel directly at (973) 622-5000 for reservations at the special negotiated rate of $209 and mention that you are attending a Law Seminars International conference. Rooms are on a first come, first served basis.

Continuing Education Credits: This program qualifies for 14.5 NY (non-transitional) CLE and 12.5 PA CLE credits. Upon request, we will apply for CLE credits in other states and other types of credits.

If You Cannot Attend: Our complete Homestudy Course, consisting of a DVD recording and the course materials (either a binder or search CD), is available for $1005. The course materials alone are available via UPS ground within two weeks after the seminar or from the date we receive payment.
Faculty: Natural Resource Damages Conference

Ira Gottlieb, Program Co-Chair, partner at McCarter & English, LLP, focuses on environmental law, NRD assessments, superfund surface water sediment and other site remediation matters, and insurance coverage on behalf of policyholders. He is co-author of a book chapter, “A Practical Guide to Litigating Natural Resource Damages Claims,” in Environmental Litigation: Law and Strategy.

Stephen T. Parkinson, Program Co-Chair, partner at Groff Murphy, PLLC, focuses on environmental law including contaminated properties, cleanup and cost recovery actions under state and federal Superfund law, NRD claims, and stormwater and wetlands issues. He has been named Washington CEO Magazine as one of “Washington’s Most Amazing Attorneys” and is listed as a “Super Lawyer.”

Mark Barash, Senior Attorney with the U.S. Department of the Interior, focuses on development of natural resource damages policies and case approaches. He manages claims of national significance, such as Hudson River PCBs and Passaic River/Newark Bay Complex, along with other CERCLA NRD cases, oil spills, and National Park Service 19jj claims covering a 13-state region.

James A. Bruen, partner at Farella Braun + Martel LLP, specializes in representation of industry, universities and governmental institutions in complex domestic and international products and environmental counseling and litigation. He was an Enforcement Attorney for the FCC and named one of the top 25 environmental lawyers in the country.

Michael Catania is President and founder of Conservation Resources Inc., a non-profit conservation group which provides financial and technical assistance to the conservation community in New Jersey.

Richard O. Curley, Jr., founder of Curley & Associates LLC, specializes in CERCLA and state law equivalent remediation matters and advocacy relating to legislative and regulatory reform of CERCLA, natural resource damages, cost recovery litigation, and criminal and civil litigation concerning claims under RCRA, the Clean Water Act and TSCA.

Fern Fleischer Daves, Senior Counsel of Environment, Safety and Health at ITT Corporation, focuses on regulatory compliance, legacy site remediation, litigation, product safety, contracts and corporate transactions.

Rachel DelVecchio, Senior Associate at Industrial Economics, Incorporated, focuses on the science behind natural resource damage assessment, the generation of supporting evidence for environmental litigation, and the application of technical information to support environmental policy and regulation.

Rick Dunford, Ph.D., is the owner of Environmental Economics Services, LLC, a consulting firm specializing in NRD assessment. He specializes in groundwater and recreation damages, and was co-founder of Triangle Economic Research.

Loren R. Dunn, principal at Riddell Williams P.S., and Chair of the Environmental and Natural Resources Group, handles projects involving hazardous waste and large multi-party toxic cleanup sites, water sediment sites and NRD claims. He is listed in Chambers.

William J. Hengemihle, Managing Director at LECG, LLC, provides arbitration and mediation for environmental cleanup, restoration projects and NRD claims at urban rivers and waterways. He worked as a mediator for NRD claims at the Hylebos Waterway portion of the Commencement Bay Nearshore/Tidelflats Superfund Site.

William H. Hyatt, Jr., partner at K&L Gates LLP, concentrates on environmental law and related litigation, with extensive Superfund experience. He is listed in Chambers and Euronomey’s Guide to the World’s Leading Environmental Lawyers.

Brian D. Israel, partner at Arnold & Porter LLP, specializes in environmental litigation and counseling, including contaminated properties, toxic tort lawsuits and natural resource damages claims. He wrote the “Natural Resource Damages” chapter in the Environmental Law Practice Guide.

William J. Jackson, President and founding shareholder of Jackson Gilmour & Dobbs, PC, focuses on representing states, governmental entities, ports and transportation sector clients in NRD, cost-recovery and remediation claims.

Steven M. Jawetz, principal and Chair of the CERCLA/Contaminated Properties Section in the Environmental Practice Group at Beveridge & Diamond, PC, focuses on matters under the Comprehensive Environmental Response, Compensation, and Liability Act (Superfund) and the Resource Conservation and Recovery Act.

Jason C. Kinnell, Principal Economist at Veritas Economic Consulting, LLC, specializes in the application of environmental economic analysis to 316(a) & (b) compliance strategies, restoration evaluation and planning, natural resource damage assessments and exposure assessments.

Lanny S. Kurzweil, partner at McCarter & English, LLP, handles cost recovery actions in cases involving landfills, groundwater, soil contamination, underground storage tanks and counsels on NRD issues.

Mark S. Laska, Ph.D., CEO and President at Great Ecology and Environments, Inc., is an experienced ecologist focusing on habitat restoration and ecological strategy for private sector clients and on NRD cases, to leverage existing assets to offset financial penalties.

Eric G. Lasker, partner at Hollingsworth LLP, focuses on environmental and toxic tort litigation involving Daubert, the federal preemption defense and NRD claims, and is experienced in international law and defense of environmental terrorism claims.

David S. Rikfkind Vice President and General Counsel of Buzzi Unicem USA, Inc., was part of the team managing the State of New Mexico v. General Electric Co NRD case.

Paul N. Singarella, P.E., partner at Latham & Watkins LLP, is Chair of the Environment, Land & Resources Department in the Orange County office. He is experienced in environmental, water, natural resources and land use.

Robert E. Unsworth, President of Industrial Economics, Incorporated, specializes in natural resource economics and damage assessment, environmental benefits assessment and policy analysis. He has provided support to the U.S. Department of Justice, NOAA, U.S. Department of Interior, states and tribal governments.

Who Should Attend:

- Attorneys, consultants, corporate managers and all governmental or private practice environmental professionals

You Will Learn About:

- Elements of federal claims under CERCLA, CWA and OPA
- Counterclaims and third party claims
- Defenses to claims of NRD
- NRD case law updates and NRD claims around the country
- Rule 702 update and the use of Daubert
- Implementation of new NRD regulations
- Passaic River developments
- In-house perspectives on managing complex NRD cases
- Restoration banking; habitat equivalency; valuating claims
- New developments in the cooperative assessment process
- Cases involving tribal claims and state trustees

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