



A Timely Conference Featuring Nationally Renowned Experts on
PFAS Litigation in the Northeast

*Evolving regulations, forensic techniques, theories of liability,
lines of defense, damage calculations, and remediation approaches*

October 29 & 30, 2020

Via Interactive Zoom Broadcast

Agenda—Day 1

8:00 Registration Opens

8:30 Introduction & Overview

Kegan A. Brown, Esq., Program Co-Chair

Latham & Watkins ~ New York, NY

William J. Jackson, Esq., Program Co-Chair

Kelley Drye & Warren ~ Houston, TX

**8:45 Understanding the Chemistry: Toxicity, Occurrence, Fate and Transport of PFAS
Chemicals**

Background, nomenclature, and unique characteristics of PFAS compounds

Mark Benotti, Ph.D., Environmental Chemist

NewFields ~ Rockland, MA

Identifying specific PFAS chemical compounds, their persistency characteristics, and health impacts;
identifying the origins of contaminants through the use of forensic techniques

Gregory Schnaar, Ph.D., PG,

Director of Expert Services

Daniel B Stephens & Associates Inc

Silver Spring, MD

10:15 Break + Speaker Evaluation Poll

10:30 The Evolution of PFAS Litigation

The interplay between PFAS claims and development of regulatory standards over time; history of DuPont
and 3M PFAS litigation; theories of liability and strategic tips

Robert A. Bilott, Esq.

Taft Stettinius & Hollister ~ Cincinnati, OH

11:30 Update on the Aqueous Film Forming Foam (AFFF) Multi-District Litigation

Perspectives and updates from leaders on the Plaintiffs and Defendants Executive Committees in the AFFF
MDL consolidated in Charleston, South Carolina

Michael A. London, Esq.

Douglas & London ~ New York, NY

Michael A. Olsen, Esq.

12:15 Lunch + Speaker Evaluation Poll

1:30 Regulatory Standards and Government Initiatives Relating to PFAS Contamination

Federal: Congressional actions; Safe Drinking Water Act and the Third Unregulated Contaminant Monitoring Rule (URCM3); EPA Health Advisories and draft interim recommendations

Jeffrey Rose,
Vice President of Government Affairs and Public Policy
Battelle ~ Columbus, OH

State regulatory trends and litigation involving PFAS in drinking water and the environment; Cooperative Federalism and the interplay between federal and state laws

William J. Jackson, Esq., Program Co-Chair

2:30 Natural Resource Damage Claims as a Remedy

Claims, defenses, and issues unique to PFAS

Kegan A. Brown, Esq., Program Co-Chair
Shawn M. LaTourette, Esq., Chief of Staff
New Jersey Dept of Environmental Protection
Trenton, NJ

3:15 Break + Speaker Evaluation Poll

3:30 PFAS Litigation Case Studies

The factual, legal, and scientific issues, distinctions and common threads that arise at the different types of PFAS sites, including the larger industrial sites, the hundreds of AFFF sites, and biosolids sites around the country

William J. Jackson, Esq.,
Program Co-Chair, Moderator
Connie Travers,
Vice President and Principal Associate
Abt Associates ~ Boulder, CO
Philip Bein, Watershed Inspector General
New York Attorney General's Office
Albany, NY

Theodore M. Grossman, Esq.
Jones Day ~ New York, NY

Liam J. Montgomery, Esq.
Williams & Connolly ~ Washington, DC

Ashley Campbell, Esq.
SL Environmental Law Group ~ Concord, NH

5:00 Continue the Exchange of Ideas: Virtual Reception for Faculty and Attendees

Open mic: Grab your favorite beverage and snack for a moment of comraderie and a less structured discussion of what is happening in the PFAS litigation world

Agenda—Day 2

9:00 Special Issues for Claims Arising from Military and Other Federal Operations

US Department of Defense PFAS uses and impacts, claims against the United States and its contractors, the Government Contractor Defense and related sovereign immunity issues

John D.S. Gilmour, Esq.
Kelley Drye & Warren ~ Houston, TX
Rachel Jacobson, Esq.
WilmerHale ~ Washington, DC

10:00 Break

10:15 CERCLA Designations as a Potential Game Changer

How designation of one or more PFAS as CERCLA hazardous substances may affect the universe of potentially responsible parties, the investigation and remediation process, and CERCLA liability

Gerhard P. Gengel, Esq.

Latham & Watkins ~ New York, NY

Jaana Pietari, Ph.D., Senior Managing Consultant

Ramboll ~ Arlington, VA

11:15 Risk Management

Insurance options and issues for PFAS liabilities and costs

Michael McGinn, Senior Vice President

Marsh USA ~ Chicago, IL

11:45 Lunch + Speaker Evaluation Poll

1:00 Valuing Damaged Natural Resources

Techniques for establishing values for the broad range of potentially damaged resources including Tribal fishing rights and cultural resources

Robert E. Unsworth, Principal

Industrial Economics, Incorporated ~ Cambridge, MA

William H. Desvousges, Esq., President

W H Desvousges & Associates Inc ~ St Augustine, FL

2:15 Establishing a Scientific Basis for PFAS Containment and Remediation Planning

Remediation planning: Risk assessment, remedial goals, and available technologies

Laurel Royer, Ph.D., Lead Environmental Chemist

Desimone Consulting Engineers ~ New York, NY

3:00 Closing Remarks + Speaker Evaluation Poll and Then Adjourn

Kegan A. Brown, Esq., Program Co-Chair

Who Should Attend

Litigation and environmental attorneys and consultants embroiled in the rapidly growing area of PFAS litigation, legal and technical water practitioners, land use planners, and other environmental professionals.

About the Conference

This comprehensive two-day conference is designed for litigation and environmental attorneys and consultants embroiled in the rapidly growing area of PFAS litigation, legal and technical water practitioners, land use planners, and other environmental professionals. The focus is on litigation relating to the thousands of different chemicals collectively known as PFAS, which have been used in many industrial processes and incorporated into a variety of products, including non-stick coatings, fire-fighting foams, and food packaging. There are now hundreds of lawsuits across the country arising from PFAS contamination at industrial discharger sites, aqueous film forming foam (AFFF) sites, and biosolids applications impacting agricultural and grazing land across the country.

PFAS chemicals do not break down in the environment, have adverse health effects, and have been estimated to be present in the bodies of 99% of the U.S. population. As a result, cities and states as well as the US EPA have begun to issue guidance and, in some cases, maximum contaminant levels (MCLs), surface water quality standards, and groundwater quality standards for PFAS.

This is an opportunity to hear from a faculty that includes lead counsel from the AFFF Multidistrict Litigation, state attorneys general offices and environmental agencies, PFAS-industry counsel and to discuss the burgeoning litigation and issues stemming from PFAS contamination. We hope that you will join us in this interactive and timely conference.

~ Kegan A. Brown, Esq. of Latham & Watkins and

William J. Jackson, Esq. of Kelley Drye & Warren,
Program Co-Chairs

Registration & Other Conference Information

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 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 and course materials. Make checks payable to Law Seminars International.

As an added value bonus, you'll receive access to audio and video replays at no extra charge.

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 Thursday, April 23, 2020. After that time, we will credit your tuition toward attendance at another program or the purchase of an audio or video replay.

Continuing Education Credit: Live credits: This program qualifies for 13.5 NY, 11.75 CA, and 11.5 WA MCLE credits. It also qualifies for 11.5 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.

Faculty

Kegan A. Brown, *Program Co-Chair*, is a partner at Latham & Watkins. He represents clients in complex environmental, products liability, and toxic tort litigations.

William J. Jackson, *Program Co-Chair*, is co-chair of the national Environmental Law practice group at Kelley Drye & Warren.

Philip Bein is the Watershed Inspector General for the New York Attorney General's Office.

Mark Benotti, Ph.D., is an Environmental Chemist at NewFields. He has developed analytical methodologies and interpreted environmental data for the purposes of understanding the impacts of anthropogenic activities on the environment.

Robert A. Bilott is a partner at Taft Stettinius & Hollister. He brought the very first PFAS environmental exposure case in 1999 and is the author of "Exposure" which served as the basis for the recently-released movie "Dark Water".

Ashley Campbell, SL Environmental Law Group, focuses her practice on complex environmental contamination litigation. She represents plaintiffs in PFAS and other chemical pollution cases.

William H. Desvousges, W.H. Desvousges & Associates, specializes in environmental economics consulting, especially complex valuation projects.

Gerhard P. Gengel is a partner at Latham & Watkins. He represents companies in key environmental matters including natural resource damage claims, remediations, and toxic tort litigation.

John D.S. Gilmour co-chairs the Environmental Litigation section at Kelley Drye & Warren. His practice encompasses significant tort and environmental matters, including some of the largest contaminated sites in the country.

Theodore M. Grossman is Of Counsel to Jones Day. His PFAS litigation experience includes defense of the putative nationwide class action Hardwick case in Ohio.

Rachel Jacobson is special counsel to WilmerHale. She joined the firm following more than two decades in the federal government, where she handled some of the largest environmental cases in US history.

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

Michael A. London, Douglas & London, has served as lead or liaison counsel in some of the largest national mass tort and complex litigations in recent years.

Michael McGinn is Senior Vice President at Marsh USA. His expertise is in working with lawyers to customize insurance and risk consulting solutions.

Liam J. Montgomery is a partner at Williams & Connolly. He focuses on complex civil trials, including matters relating to environmental law.

Michael A. Olsen is co-leader of Mayer Brown's Litigation & Dispute Resolution practice and co-leader of the Mass Tort & Product Liability practice.

Jaana Pietari, Ph.D., PE is Senior Managing Consultant at Ramboll. She focuses on environmental remediation, the fate and transport of contaminants, hydrogeological assessments, the reconstruction of environmental releases to groundwater and sediments, and environmental forensics.

Jeffrey Rose is Vice President of Government Affairs and Public Policy for Battelle's Contract Research Organization.

Laurel Royer, Ph.D., is a Lead Environmental Chemist at DeSimone Consulting. She has supported the defense of multiple lawsuits involving PFAS manufacturing, AFFF formulations and use, transport and fate (including the biological transformation process that govern the degradation of precursor PFAS), use and disposal practices, remedial activities and technologies assessed and implemented, water treatment options and their efficacy to incorporate appropriate measures into overall environmental management programs.

Gregory Schnaar is Director of Expert Services and also a Principal Environmental Scientist at Daniel B Stephens & Associates Inc. His practice focuses on applying quantitative hydrologic methods to evaluate contaminant transport and conduct water resources assessments.

Connie Travers is Vice President and Principal Associate at Abt Associates. She co-leads Abt's Environmental Science and Natural Resource Damage Assessment and Restoration (NRDA) practice.

Robert E. Unsworth is a Principal at Industrial Economics, Incorporated. He has served as an expert witness in the context of environmental damage claims and has assisted various public commissions on topics in environmental valuation.