

Environmental Litigation, Enforcement and Disputes

Counsel that helps you find the best possible outcome for any environmental dispute

Capabilities at a glance

- **A robust track record of favorable settlements for our clients**, built on good relationships with permit writers, regulators and enforcement personnel.
- **Strong representation from our experienced defense litigators** in the event of an environmental matter coming to trial.
- **Deep and specific knowledge of the technical side of environmental impacts** and the industries in which our clients operate.
- **Sophisticated litigation case and cost management** from a legal team that understands your business needs.

A creative approach to dispute resolution backed by trial attorneys who mean business

Our Environmental Litigation, Enforcement and Disputes team is committed to providing legal advice tailored to your needs. We are experienced trial lawyers, prepared to robustly represent our clients in all facets of contested proceedings, but we have also developed strong relationships with permit writers, regulators and enforcement personnel, which have enabled our clients to achieve favorable results through well-negotiated settlements. Drawing on both sets of skills, we deliver creative solutions that help you navigate regulatory obstacles on the smoothest possible course for your business.

Broad legal knowledge of a range of environmental litigation matters

At Quarles, our attorneys' environmental enforcement and litigation experience covers a wide range of matters, plus knowledge of a similarly wide range of U.S. state and federal regulations and priorities. We have successfully and efficiently represented clients in a variety of regulatory enforcement matters, in addition to defending private citizen complaints. Our litigation experience includes environmental cost recovery actions under federal and state law, regulatory enforcement proceedings, and toxic tort property damage and personal injury actions. We have represented clients operating in a variety of industries—from paper to food packaging to waste recycling—and our dispute services encompass advice and pursuit of insurance coverage for the underlying environmental claims.

Practice Contacts

Cynthia Faur
(312) 715-5228
cynthia.faur@quarles.com

Michael Mostow
(312) 715-5158
michael.mostow@quarles.com

People

Cynthia Faur
James Goldschmidt
Jeremy Lite
Michael Mostow
Donald Schott
Hannah Schwartz
Christopher Skey
Joe Wilson
Lauren Zenk





Experience

- **Defending alleged violations of state and federal air**, water, worker safety and waste laws and regulations.
- **Defending chemical manufacturers** from actions arising from facility explosions.
- **Investigating historical bases for successor liability** under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA).
- **Serving as common counsel** in multi-party CERCLA Superfund sites.
- **Bringing and defending CERCLA cost recovery** and contribution actions.
- **Defending Resource Conservation** and Recovery Act (RCRA) citizen's suits.
- **Pursuing insurance recoveries** for environmental costs.

Successes

- Our client suffered a massive explosion and fire, resulting in a multi-count complaint from the state attorney general. We negotiated an agreed order limiting our client's remediation obligations and allowing our client to move forward with the demolition. We also fended off the state's claims around asbestos, under the National Emission Standards for Hazardous Air Pollutants (NESHAP), resulting in the state's withdrawal of the claims.
- When the current owner of property formerly owned by our client encountered contamination on site, they pointed the finger at our client and brought in the state natural resources agency. Quarles assisted the client through three phases of the dispute. First, we worked with the agency to delineate a narrow slice of the existing contamination attributable to our client. Second, when the property owner pursued contribution litigation, we negotiated a favorable settlement giving our client control over design and implementation of the remedy, and thus over environmental costs. Third, we helped our client work with the agency and the property owner to achieve case closure under the parties' negotiated agreement.

