
Committed to
Addressing the
Financial Perils
Associated with
Environmental
Contamination



We believe the essentials of life – our water supply, the air we breathe, the soil in which we grow our food – are so fundamental to our existence. In America, chemical companies are allowed to proceed with massive production of their products without regulators understanding the fate of those chemicals once they are placed in the stream of commerce or the effects on those that may be exposed. As a result, Public Entities across America end up facing the financial burden of dealing with various chemicals that find their way into publicly owned systems such as drinking water, wastewater, stormwater and real property. Our collective goal is to assist Public Entities in grappling with the financial burdens that result from such contamination.



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“Water is the essence of life and we are so fortunate to have the opportunity to represent and assist clients who are impacted by contaminated water.”

- Scott Summy

The nationally recognized attorneys from Baron & Budd, P.C. and Cossich Sumich Parsiola & Taylor, LLC, known together as the PFAS Litigation Group, are actively representing those affected by PFAS contamination across the nation. These clients include states, public and private drinking water providers, wastewater treatment facilities, airports, fire training facilities, and property owners.


The lawyers and staff with the PFAS Litigation Group are experienced in representing these entities in contamination cases. The PFAS Litigation Group first teamed up on the BP oil spill case, by

servicing in court-appointed leadership roles and representing clients who were impacted by the spill. Our attorneys know the technical environmental regulations and laws and the complicated legal issues involved in these cases.

Our commitment to assisting our clients who are left with the financial burdens of chemical contamination has continued for over 40 years as we have achieved unprecedented results and recovered billions of dollars for our clients. We are proud to lead the charge in many high-profile cases, taking on oil giants and major companies.



We are not traditional environmental lawyers; we are trial lawyers pursuing environmental torts on behalf of our clients.



Manufacturers who know or should have known their toxic chemicals would contaminate the environment and create a public health hazard, but promote those products anyway, can be held liable for products liability or public nuisance.

AQUEOUS FILM-FORMING FOAM (AFFF)

Perfluorooctanoic acid (PFOA), and perfluorooctane sulfonic acid (PFOS) are man-made chemicals within a class known as perfluoroalkyl acid (PFAA). PFAAs are part of the larger chemical family known as per- and polyfluoroalkyl substances (PFAS). These chemicals are used to create many nonstick, stain resistant, and waterproof products. These are also the chemicals used in the manufacturing of AFFF.

AFFF is a water-based firefighting agent used to control and extinguish Class B fuel fires and is used in many locations like military bases, airports, petroleum refineries, and fire training centers. Since the 1960s, several companies have manufactured, marketed, and sold AFFF knowing that it contained toxic chemicals that would be released into the environment when used by consumers as recommended. The carbon-fluorine bond in PFAS is one of the strongest known bonds, which is the reason these chemicals are so persistent in the environment. PFOA and PFOS are highly water soluble, which increases the rate at which they spread throughout the environment, contaminating soil, groundwater, surface water, and wastewater. Because

of this persistence, PFAS chemicals are frequently referred to as “forever chemicals.” These companies failed to notify consumers of the potential hazards to the environment related to these products. Many facilities and organizations have been using AFFF in the methods recommended and promoted by the AFFF manufacturers, completely unaware that the product was contaminating their property and water.

The AFFF manufacturers had the technology to produce AFFF with safer chemicals from as early as the 1960s. However, these manufacturers knowingly chose to make and sell AFFF with PFOA and PFOS. Cities, towns, and neighborhoods surrounding locations where AFFF was utilized have reported contaminated water and soil in their communities.

Chemical manufacturers can be held liable for their negligence. Litigation against these companies has resulted in the recovery of billions of dollars that has helped toward the cost of cleanup efforts. It is crucial that chemical companies are held accountable so we can stop the spread of these forever chemicals in our environment.

EPA'S LATEST RESPONSE TO PFAS

On March 14, 2023, the EPA announced its first-ever proposed national drinking water standard for six PFAS:

- PFOA
- PFOS
- PFHxS
- GenX Chemicals
- PFNA and
- PFBS

This proposed regulation could become legally enforceable within the next year, and it includes these proposed Maximum Contaminant Levels (“MCLs”):

- PFOA at 4 parts per trillion and
- PFOS at 4 parts per trillion

EPA is also proposing to use a Hazard Index (HI) approach to protecting public health from mixtures of:

- PFHxS
- HFPO-DA (and its ammonium salt)
- PFNA and
- PFBS

Source: Proposed PFAS National Primary Drinking Water Regulation FAQs for Drinking Water Primacy Agencies published by the EPA March 14, 2023.

REGULATIONS

How Can an Attorney Help?

The PFAS Litigation Group is currently investigating areas of known AFFF applications to learn more about the concentration of potential contaminants in the groundwater, soil, wastewater, and the surrounding environment. Our environmental attorneys are talking to property owners with known historical use of AFFF on or near their property. We will meet with you for free to discuss your potential case.

Seeking the guidance of an attorney is extremely important in these types of cases.

Our attorneys can assist clients with soil and groundwater sampling, sample analysis by an industry-leading lab, research into use of legacy foams, and expert investigation into the potential

impacts of PFAS contamination on surrounding areas.

The lawsuits filed for AFFF contamination seek to recoup the costs associated with:

- Drinking water, wastewater, groundwater, and/or soil treatment and remediation
- Past and future testing of contaminated areas

The PFAS Litigation Group consists of plaintiff law firms working on a contingency basis. This means that clients will never have to pay up front for the services provided to them. If the case is successful, the law firm will receive a percentage of the award. If it is not successful, the client does not owe the firms anything.



ADVANTAGES OF THE MDL

- Nearly 4 years in
- Full Discovery of the Manufacturing Defendants: over 100 depositions taken
- Defendant and third-party overall document productions: approximately 4,600,000 documents and 37,400,000 pages
- Court Denied Summary Judgment Motion on the Government Contractor Immunity Defense – Sept. 16, 2022
- First Public Water Provider Bellwether Trial set for June 2023
- Court Appointed Mediator October 26, 2022: Hon. Layn Phillips

A background image showing firefighters in full gear, including helmets and jackets, using high-pressure water cannons to fight a large fire. The scene is filled with bright orange flames and white water spray. The firefighters are positioned in the foreground and middle ground, with one firefighter on the right holding a red water cannon. The overall atmosphere is one of intense action and emergency response.

CONTACT US

Many public and private entities, including public and private water providers, wastewater treatment facilities, airports, and fire training facilities are coming forward with concerns about PFAS contamination on their property. If you have used AFFF or own water wells or property near an area that has, please contact the PFAS Litigation Group to learn more about your legal options.

866-729-2624

OUR LAW FIRMS



BARON & BUDD[®]
PROTECTING WHAT'S RIGHT[®]

With more than 40 years of experience, Baron & Budd has the expertise and resources to handle complex litigation throughout the United States.

As a law firm that takes pride in remaining at the forefront of litigation, Baron & Budd has spearheaded many significant cases for hundreds of entities and thousands of individuals. Baron & Budd has been repeatedly selected by The Legal 500 as one of the country's premier law firms in mass tort claims and class action litigation. Since the firm was

founded in 1977, Baron & Budd has achieved substantial national acclaim for its work on cutting-edge litigation, trying hundreds of cases to verdict and settling tens of thousands of cases in areas of litigation as diverse and significant as dangerous and highly addictive pharmaceuticals, defective medical devices, asbestos and mesothelioma, California wildfires and environmental contamination, fraudulent banking practices, e-cigarettes, motor vehicles, federal whistleblower cases, and other consumer fraud issues.



Based in Louisiana, Cossich, Sumich, Parsiola and Taylor, LLC represents our clients in a wide array of environmental matters, including wetland and habitat protection, legacy oilfield contamination, and toxic torts.

We also have extensive experience in complex litigation, often fighting against multinational corporations who have harmed our clients.

In the BP Oil Spill Multidistrict Litigation, our lawyers were chosen to serve on the Plaintiffs' Steering Committee and Plaintiffs' Science Committee because of our history of obtaining justice.

In the current AFFF MDL, both Christina Cossich and Philip Cossich, Jr., have once again been selected to serve leadership roles on the Plaintiffs' Executive Committee.

OUR LAW FIRMS REPRESENT NUMEROUS PUBLIC ENTITIES IN THE MDL THAT INCLUDE:

Alabama

- Belforest Water System
- City of Loxley

Alaska

- State of Alaska

Arizona

- City of Tempe
- City of Prescott
- Town of Prescott Valley

California

- California Water Services
- Bakman Water Company
- Monterey Peninsula Airport District
- Santa Clarita Valley Water Agency
- San Bernardino International Airport Authority
- Sacramento County
- Sacramento County Water Agency

- Sonoma County
- City of San Jose
- City of Pleasanton
- San Joaquin County
- City of Pico Rivera
- City of Bell Gardens
- City of Downey
- City of Santa Barbara
- San Jose Water Company
- City of Whittier
- Zone 7 Water Agency
- City of Adelanto
- Alameda County Water District
- City of El Monte
- City of Clovis
- City of Manteca
- San Diego County
- City of Burbank
- City of Lathrop
- City of South Gate

Colorado

- South Adams County Water & Sanitation District
- City of Fountain

Connecticut

- Connecticut Water Company

Florida

- Emerald Coast Utilities Authority
- City of Lauderhill
- City of Plantation
- Pasco County
- Monroe County
- Hillsborough Community College
- City of Zephyrhills
- North Collier Fire Control & Rescue District
- Immokalee Water and Sewer District

Idaho

- City of Boise

Kentucky

- Commonwealth of Kentucky Energy and Environment Cabinet

Illinois

- City of Galesburg

Louisiana

- England Economic & Industrial Development District
- Iberia Parish Airport Authority
- Lakefront Management Authority
- Calcasieu Parish Police Jury
- City of Ruston
- City of Monroe
- New Orleans Aviation Board
- City of Lake Charles
- City of Shreveport
- City of Natchitoches

Maryland

- City of Salisbury
- Town of Chestertown
- Town of Poolesville
- City of Taneytown

OUR LAW FIRMS REPRESENT NUMEROUS PUBLIC ENTITIES IN THE MDL THAT INCLUDE:

Massachusetts

- Town of Barnstable
- Town of Bellingham
- Town of Danvers
- Town of Falmouth
- North Raynham Water District
- Raynham Center Water District
- Town of Webster
- Town of West Bridgewater
- Town of Millis
- Town of Ayer
- Town of Uxbridge
- Sandwich Water District
- Lunenburg Water District
- Abington/Rockland Joint Water Works
- Town of Norwell
- Town of Avon
- Town of Ware
- Town of Walpole
- Town of Holliston
- Town of Milford
- Town of Chatham

- Cotuit Fire District
- Hanson Water Department
- Town of Marshfield
- Town of Peabody
- Town of Rehoboth
- Town of Salisbury
- Town of Sterling
- Town of Tewksbury
- Town of Scituate
- Town of Norwell
- Upper Cape Regional Water Supply Cooperative
- Applewood Community Corporation
- Ayer Road Properties, LLC

Mississippi

- State of Mississippi

Missouri

- City of St. Louis

New Jersey

- Borough of Branchville
- Burlington Township

North Carolina

- Town of Maysville
- City of Lumberton
- Robeson County
- Greensboro Well Owners?

Ohio

- City of Wilmington
- City of Portsmouth
- City of Mansfield
- City of Bellbrook
- Village of Bridgeport
- City of Fairborn

Oregon

- Port of Portland

Pennsylvania

- Coraopolis Water & Sewage Authority
- County of Bucks
- Borough of West Chester
- Delaware County
- Delaware County District Attorney's Office

- Bucks County District Attorney's Office
- Primos-Secane-Westbrook Park Fire Company
- Haverford Township

Rhode Island

- Town of Cumberland

South Carolina

- Charleston County Aviation Authority

South Dakota

- City of Sioux Falls
- Sioux Falls Regional Airport Authority
- City of Watertown

Texas

- Individual Well Owners near the Randolph AFB

Washington

- City of Tacoma

Wisconsin

- Dane County

OUR LEGAL TEAM



Scott Summy is the leader of the Environmental Litigation Group (ELG) and a shareholder at Baron & Budd. ELG was started by Mr. Summy in 2002 and is comprised of 30 attorneys and support professionals whose concentration is in large environmental litigation across the country.

Mr. Summy has served both in court-appointed leadership positions and directly represented clients in some of the country's largest environmental cases with national significance. It all began with a single phone call in August

1995 when Mr. Summy was a new lawyer. He received a call from a prospective client in North Carolina who had learned that he and his neighbors had been ingesting the chemical MTBE in their drinking water wells for years. Mr. Summy took the case, and after years of fighting for the residents' rights and going to trial, the case resulted in a record settlement.

Mr. Summy soon learned that MTBE was contaminating drinking water wells all over America. That case proved to be only the first of many to come. Mr. Summy was hired by public water providers all over the country whose



residents had contaminated wells. He became the “go to” lawyer for public entities facing environmental contamination which impacted their public resources.

Mr. Summy has represented public entities from the east coast to the west coast and all across middle America. He and his ELG Team have recovered billions of dollars on behalf of their clients in environmental litigation.

Mr. Summy was recently appointed as Co-Lead Counsel by the court in AFFF MDL No. 2873 pending in federal district court in South Carolina. This litigation

focuses on PFAS contamination to the environment by its use in fire foam. The litigation focuses on the manufacturers of AFFF and PFAS and seeks damages for extensive contamination. This is the hottest environmental issue in the United States presently. Mr. Summy represents numerous public entities in the MDL.

Mr. Summy is also serving as Co-Chair of the General Liability Discovery Committee and the Science Committee.





Carla Burke Pickrel

is a shareholder with Baron & Budd. After

several years in Baron & Budd's appellate section, Ms. Pickrel joined the Environmental Litigation Group in 2004. As one of the pioneers of the Group, she has worked to develop legal strategies for cases arising from methyl tertiary-butyl ether (MTBE), atrazine, perchloroethylene (PCE), polychlorinated biphenyl (PCB), and and polyfluoroalkyl substance (PFAS) contamination of drinking water supplies. In her time with the Group, she has represented hundreds of public entities – villages, towns, cities, utilities, school districts, and states.

Carla also serves as Co-Chair of the Law and Briefing Committee.



Celeste Evangelisti

has devoted almost two decades of her career to

representing individuals, municipalities and public water suppliers who seek to recover costs to clean up contamination from the companies responsible – those who put dangerous products into the stream of commerce without ensuring they will not cause extensive environmental contamination.

A shareholder with Baron & Budd's Environmental Law Group, Ms. Evangelisti currently represents plaintiffs in several states across the country who face a variety of contamination issues.





Christina Cossich is a nationally recognized environmental attorney

and a partner at Cossich, Sumich, Parsiola & Taylor in Belle Chasse, Louisiana.

With a primary focus in complex civil litigation, Christina has represented individuals, governmental agencies, and businesses in individual lawsuits, class actions, and multi district litigation.

She held a prominent leadership role in the Deepwater Horizon Plaintiffs' Steering Committee Science Group, where she was tasked with determining the environmental impacts and the fate

and transport of chemicals from the BP oil spill. Christina also currently represents several coastal Louisiana parishes against the multitude of oil and gas companies that have contributed to coastal land loss and the contamination of the Louisiana coast. She is passionate about her practice and helping people across the country affected by natural disasters and environmental contamination.

Christina was appointed by the United States District Court for the District of South Carolina to serve as a member of the Plaintiff's Executive Committee in the Aqueous Film-Forming Foams Products Liability Litigation.





Philip F. Cossich, Jr. is the founding partner of Cossich, Sumich, Parsiola

& Taylor, L.L.C. He earned a bachelor of arts degree, magna cum laude, from Tulane University in 1980 and a Juris Doctor degree, cum laude, from Tulane School of Law in 1983. His law practice focuses in the areas of environmental law, mass torts, class actions, personal injury, admiralty, and complex business litigation. Phil has represented his clients in large environmental contamination cases across the country. He was appointed to the Plaintiffs' Steering Committee for the BP Multidistrict Litigation and as class counsel for all plaintiffs in the economic and property class settlement. He has recovered hundreds of millions of dollars for his clients through litigation involving admiralty law, oil spills, drinking water contamination, natural resource damages and natural disasters.



Brandon Taylor is a partner at Cossich, Sumich, Parsiola & Taylor

L.L.C. He earned a Bachelor of Science Degree in Marketing from Louisiana State University in 1997, graduating with honors, and earned a Juris Doctorate from Loyola University in New Orleans in 2001, also graduating with honors and as a member of Law Review. He has practiced law for 19 years, with significant experience in maritime law, environmental law and the collection of property damages and economic losses arising from first-party insurance claims. Mr. Taylor represents multiple public entities across the coast of Louisiana and around the country for contamination caused by large-scale industrial failures. In all, Mr. Taylor has assisted hundreds of individuals, companies, and local governments to receive millions of dollars for economic and property losses over the course of his career.





Jody J. Fortunato

is an attorney in the firm of Cossich, Sumich, Parsiola & Taylor, L.L.C. and has been with the firm since 2021.

Prior to joining the firm, Mr. Fortunato was an assistant district attorney for over a decade in Louisiana's Twenty-Fourth Judicial District in Jefferson Parish. During his tenure as a prosecutor, Mr. Fortunato gained extensive jury-trial experience, argued successfully before his appellate court, served as his office's liaison to the Louisiana District Attorneys Association and as a member

of its legislative solutions team, and was the chief prosecutor of his division.

Jody is a graduate of Villanova University and Loyola University New Orleans' College of Law, where he was a member of the Moot Court.

Jody is admitted to practice before the Louisiana Supreme Court and all Louisiana State Courts, the United States District Courts for the Eastern, Middle, and Western Districts of Louisiana, and the United States Court of Appeals for the Fifth Circuit.



PFAS Litigation Group

FOR MORE INFORMATION:

firefoamcontamination.com | 866-729-2624

info@baronbudd.com

One of our dedicated attorneys will personally meet with you to review your case, for free.

Baron & Budd, P.C.

Baron & Budd has long believed in “Protecting What’s Right” for individuals and public entities. For nearly 40 years, the firm has represented individuals, businesses, and public entities from coast to coast. Baron & Budd was an early leader in environmental toxic tort cases. The firm’s Environmental Litigation Group, led by Scott Summy, has represented an unprecedented number of public entities in environmental actions. Those clients range from small villages to state governments across the United States whose water, soil, air, and precious natural resources are contaminated with chemicals including perfluorinated chemicals or “PFAS,” industrial compounds such as PCBs, PCE, and TCE, pesticides like atrazine and 1,2,3-TCP, and gasoline additives such as MTBE. Through litigation, the firm has recovered funds to remove these contaminants from natural resources, drinking water supplies, and property --- restoring those communities. In all, Baron & Budd’s Environmental Litigation Group has represented hundreds of public entities in environmental tort cases recovering more than \$3 billion for those clients.

In the course of its environmental practice, Baron & Budd has demonstrated many times the success of suing manufacturers for product-related harms. Beginning in the early 1980s and spanning 21 years, the firm represented hundreds of individuals in Arizona who suffered personal injuries as a result of contaminated drinking water. That case is considered among the most important litigations involving personal injuries caused by water pollution. In nationwide MTBE cases, the firm alleged that gasoline refiners should be liable for the contamination of water supplies with MTBE, a gasoline additive. Baron & Budd did not pursue the gas stations whose underground storage tanks had leaked. Rather, the firm determined that the refiners had known that MTBE would likely escape from underground tanks and had not warned anyone, including the station owners. Never before had refiners been held liable for harm caused by releases from stations. In a series of settlements, Baron & Budd recovered over \$500,000,000 for public entities who detected MTBE in their water supplies. Baron & Budd applied the same approach against Syngenta, the manufacturer of atrazine, an agricultural chemical that easily runs off of crop areas into water supplies. Rather than seek damages from the farmers that applied atrazine to crops, the firm discovered evidence that Syngenta long knew that its product was contaminating drinking water and failed to warn users or regulators. Baron & Budd negotiated a settlement of \$105,000,000 for over 1,000 affected public entities.

In addition, Baron & Budd played significant roles in two of the largest environmental disasters to ever face the United States, the Exxon Valdez Oil Spill and the BP Oil Spill. Baron & Budd represented the National Wildlife Federation in the Exxon Valdez litigation involving the 1989 spill. As a result of the Valdez spill, the Oil Pollution Act of 1990 was passed, allowing those who lost income or profits because of an oil spill to recover compensation from the companies’ responsible for the spill. The act also improved the federal government’s ability to respond quickly to spills. Of course, the Oil Pollution Act played a significant role in the BP Oil Spill as did Baron and Budd and CSP&T. Scott Summy was a member of the Executive Leadership overseeing the Plaintiff’s side of the case. Baron & Budd, along with CSP&T (as noted below), also oversaw the development of scientific evidence linking the severe and long-lasting damages along the Gulf Coast to the oil spill. Finally, both firms also represented the interests of government entities and

private citizens alike to recoup hundreds of millions of dollars in devastating losses suffered from Texas to Florida and beyond.

These experiences, in part, led Baron & Budd to a central role in the nationwide multi-district litigation (MDL) arising from PFAS contamination resulting from the use of aqueous fire-fighting foams (AFFF). More than 500 cases have been filed in various jurisdictions across the United States and consolidated before Judge Richard Gergel in MDL No. 2873 in Charleston, South Carolina. Scott Summy is a court-appointed Co-Lead Counsel, and several Baron & Budd attorneys are active leaders in committees that operate on behalf of all plaintiffs. Additionally, Baron & Budd is serving as the digital document depository for the entire AFFF MDL encompasses all of the documents produced by defendants in the litigation.

Scott Summy, Shareholder
Baron & Budd, P.C., Dallas, TX

Proposed Roles: Mr. Summy takes an active role in all phases of litigation from evaluating contamination and scientific evidence to developing legal strategies and arguments. He plays a key leadership role in complex cases and is instrumental to settlement negotiations.

Experience: Scott Summy has spent the last two decades litigating complex environmental cases, mostly against manufacturers who knew that their products would contaminate water supplies when used and against specific facilities that intentionally discharged known pollutants into the environment. He has served in leadership roles in several Multi-District Litigations --- including the MTBE MDL, which consolidated hundreds of public water providers' claims against the refiners who blended MTBE into gasoline; the BP Oil Spill MDL established after the massive 2010 oil spill in the Gulf of Mexico; and the AFFF MDL that consolidates hundreds of cases against the manufacturers of PFAS-containing fire-fighting foams. In each of those consolidated litigations, Mr. Summy led legal strategy, developed key scientific evidence, and negotiated resolutions.

Cary McDougal, Shareholder
Baron & Budd, P.C., Dallas, TX

Proposed Roles: Mr. McDougal approaches case strategy from the perspective of a well-experienced trial lawyer. He prepares evidence for trial, develops expert witness testimony, works with jury consultants and manages staff and attorney resources.

Experience: Before Mr. McDougal came to Baron & Budd, he had a distinguished career as a trial lawyer, working on a variety of types of cases. He now works alongside Mr. Summy in representing public entities in a variety of litigations, such as the Cape Fear Public Utility Authority lawsuit against DuPont/Chemours arising out of the Fayetteville Works discharges.

Celeste Evangelisti, Shareholder
Baron & Budd, P.C., Dallas, TX

Proposed Roles: Ms. Evangelisti participates in legal strategy decisions, manages and oversees discovery primarily regarding defendants' liability (including taking oral depositions), collects

and prepares evidence for trial, and creates and maintains crucial timelines, "hot" document inventory, and exhibit lists.

Experience: Ms. Evangelist has decades of research in complex environmental litigation. She has worked alongside Scott Summy to develop trial evidence necessary for each case. She takes key depositions of defense witnesses, works with scientific experts, reviews corporate documents, and creates extraordinary exhibit and witness lists.

Carla Burke Pickrel, Shareholder
Baron & Budd, P.C., Dallas, TX

Proposed Roles: Ms. Pickrel creates legal strategy and theory, researches legal approaches to a particular case, and is responsible for briefing and argument of hearings and appeals.

Experience: Carla Pickrel spent five years in Baron & Budd's Appellate section before joining the Environmental Litigation Group in 2004. Since then, she has worked on all of the Group's cases. She was deeply involved in the MTBE MDL, appearing in court on behalf of all plaintiffs; is similarly absorbed in the AFFF MDL, where she leads the Law & Briefing Committee and is a member of other committees that benefit all plaintiffs; she has briefed and argued a variety of legal issues in all of the Group's other cases --- whether for the atrazine class action, specific BP Oil Spill claimants, or schools and cities seeking damages for PCB contamination.

John Fiske, Shareholder
Baron & Budd, P.C., San Diego, CA

Proposed Roles: Mr. Fiske works in the areas of client communications and has extensive experience representing public entities and managing their cases in complex litigation.

Experience: His twelve-year career includes impressive legal victories in personal injury cases and demonstrates concern for local communities. He currently represents public entities impacted by PCB contamination, governmental subdivisions overwhelmed by the opioid epidemic, and businesses and individuals devastated by wildfires.

Staci Olsen, Senior Counsel
Baron & Budd, P.C., Dallas, TX

Proposed Roles: Ms. Olsen is senior counsel responsible for document management and electronic discovery. She works with both the client and our attorneys in obtaining, organizing, reviewing, and producing documentary evidence.

Experience: Staci Olsen has nine years of experience in complex environmental litigation. She is currently serving in a leadership role relating to document discovery and production in the AFFF MDL.

Cossich, Sumich, Parsiola & Taylor, LLC

Founded in 1994, CSP&T is a nationally-recognized firm specializing in the litigation process with a particular emphasis and a successful track record in the fields of Environmental Law, Admiralty and Maritime Law, Multi-District Litigation, Complex Litigation, Class Actions, Business Litigation, Insurance Litigation, and Personal Injury Litigation. CSP&T has obtained numerous multi-million dollar settlements and verdicts for its clients by fighting for fair compensation and justice. At CSP&T, each attorney is committed to delivering quality legal solutions for some of today's most difficult issues, and the goal is do so with a constant focus on personal attention to achieve maximum results.

CSP&T has specific experience in managing complex litigation with multiple plaintiffs and defendants. Senior Partner, Philip F. Cossich, Jr. was a member of the Plaintiffs' Steering Committee that oversaw the multi-district litigation against BP and other defendants arising from the BP Oil Spill in 2010. CSP&T played a significant role in developing key scientific evidence as it related to the damages sustained by all plaintiffs and in negotiating the portions of the settlement that applied to the seafood industry as a whole. Further, CSP&T represented hundreds of clients across seven states for their losses associated with the BP Oil Spill.

CSP&T currently represents multiple public entities in litigation against the largest oil and gas companies in the world. On behalf of its clients, CSP&T is seeking damages from more than seventy defendants for land loss and pollution on and along the Louisiana coastline resulting from defendants' failure to obtain and/or to adhere to Louisiana's coastal permitting laws.

These experiences have, in part, led to CSP&T's involvement in PFAS contamination cases. Firm partners, Philip F. Cossich, Jr., Brandon Taylor, and Christina Cossich, are actively involved in ongoing litigation against the manufacturers and sellers of PFAS products, such as aqueous film-forming foams. Christina Cossich is a member of the Plaintiffs' Executive Committee overseeing the AFFF MDL pending in South Carolina. Christina Cossich is also Co-Chair of the Science Committee in charge of developing the scientific evidence concerning PFAS contamination and the damages caused thereby. In addition, multiple members of the firm including associates are actively involved in the issuance and collection of discovery to defendants and third parties. CSP&T currently represents a number of public entities and water providers in the AFFF MDL.

Philip F. Cossich, Jr., Senior Partner
Cossich, Sumich, Parsiola & Taylor, LLC, New Orleans, LA

Proposed Roles: Mr. Cossich approaches cases from the perspective of a well-experienced trial lawyer. He develops case strategy while working to prepare for and participate in trial, managing attorneys and staff working, and creating and executing settlement strategies.

Experience: Mr. Cossich is the senior partner at CSP&T. His law practice focuses in the areas of Environmental Law, Admiralty and Maritime Law, Complex Business Litigation, Class Actions, and Multi-District Litigation. He recently served on the Plaintiffs' Steering

Committee for the BP Multi-District Litigation and as Class Counsel for all plaintiffs in the Economic and Property Class Settlement. Along with other members of the CSP&T team, he is actively representing private and public water providers in cases involving PFAS contamination, including an active role in the committee assigned to oversee Third Party Discovery.

Brandon J. Taylor, Partner

Cossich, Sumich, Parsiola & Taylor, LLC, New Orleans, LA

Proposed Roles: Mr. Taylor actively works in the areas of client communications, discovery management, motion practice, trial preparation, trial work, and development of settlement strategies.

Experience: Mr. Taylor is a partner in the law firm of CSP&T. He has practiced law for 18 years representing clients across nine states with a focus on Environmental Law and Admiralty and Maritime Law. In doing so, he has gained substantial experiences in Multi-District Litigation. Along with other members of the CSP&T team, he is actively representing private and public water providers in cases involving PFAS contamination.

Christina Cossich, Partner

Cossich, Sumich, Parsiola & Taylor, LLC, New Orleans, LA

Proposed Roles: Mrs. Cossich works in the areas of client communications, expert development and discovery with a specialty in the scientific aspects of environmental contamination issues.

Experience: Christina Cossich is a partner in the law firm of CSP&T. She was involved in the BP Oil Spill Multi-District Litigation on numerous fronts having worked with clients and having been a member of Plaintiffs' Steering Committee's Science Group. She has developed a specialty in Environmental Law. She is currently serving as a member of the Plaintiffs' Executive Committee and a Co-Leader of the Science Committee for the AFFF MDL. Along with other members of the CSP&T team, she is actively representing private and public water providers in cases involving PFAS contamination.

Andrew Cvitanovic, Senior Associate

Cossich, Sumich, Parsiola & Taylor, LLC, New Orleans, LA

Proposed Roles: Mr. Cvitanovic works in the areas of legal research, discovery, motion practice and general trial preparation.

Experience: Mr. Cvitanovic's practice focuses primarily on civil litigation in the areas of class action, complex litigation, commercial litigation, and admiralty. Along with other members of the CSP&T team, he is actively representing private and public water providers in cases involving PFAS contamination. His work includes a prominent role on the committee of lawyers working on Third Party Discovery in connection with the AFFF MDL.

As a team, Baron & Budd, and CSP&T are capable and experienced in the realm of large environmental litigation and representing public entities therein.

Baron & Budd is one of the leading firms in the country in the representation of governmental entities. Baron & Budd currently has 128 professionals and offices in Texas, Louisiana, California, and Washington D.C. The firm often leads national litigation in particular areas of law, which requires Baron & Budd's lawyers to develop the ways that courts apply legal theories to given facts. The firm often creates new precedent because traditional thinking does not always contemplate the complex scientific and factual issues that arise in the firm's cases. This philosophy has resulted in great success for a number of clients in contamination cases like the PFAS litigation. Baron & Budd has consistently been respected for having the resources and ability to handle such matters by government entities across the country, which, has in turn, sharpened the firm's abilities and skills on such matters.

As a result, over decades of handling complex litigation, Baron & Budd has developed software systems to manage current caseloads, track litigation deadlines, and streamline all client management tasks. The firm has invested extraordinary time and capital resources to develop internal procedures to process, review, analyze, store, and produce electronic documents and data. The result rivals what any vendor advertises. Experienced litigation support staff manages voluminous data by using coordinated hardware and software systems. The firm uses an e-discovery document database that allows the firm to easily and efficiently access, review, and organize documents. The Environmental Litigation Group includes a lawyer who participated in the development of these systems, works closely with the IT department to maintain procedural excellence, trains attorneys and staff, and streamlines the Group's interfaces with document review and production. These in-house capabilities result in better efficiency and lower costs for clients, and past successes demonstrate the efficiency of these systems and the ability to meet the needs of demanding caseloads.

Likewise, CSP&T's experienced in handling complex litigation cases and is prepared to see this litigation through from its outset to its ending. With eleven attorneys, a great support staff, and the ability to expand as needed on an expedited basis, CSP&T stands ready to handle the challenges that routinely arise with complex litigation. In fact, the firm has consistently exhibited the ability to handle matters of all sizes by way of the cases referenced in this submission. Upon being cast into a leadership role with regard to the BP MDL, CSP&T expanded without hesitation from seven to twelve lawyers and increased its support staff. The firm utilized the additional employees to perform the taxing work required of it as a member of the Plaintiffs' Steering Committee, as well as to handle the needs of the firm's own clients. With regard to the ongoing coastal permit violation cases, the sheer size of those cases requires a large staff of attorneys to review and to organize large quantities of documentation and to otherwise prepare for the forthcoming extensive and detailed trials. In order to accommodate those requirements, CSP&T formed a working depository wherein CSP&T provides work space for up to seven lawyers employed by both CSP&T and co-counsel to receive, review and categorize the massive amounts of documentation related to these cases. These are just two examples of CSP&T's ability to adapt and to succeed at any level. This experience in combination with CSP&T's continued representation of local public entities has prepared CSP&T to work on the matters at issue in this present Solicitation.

Baron & Budd and CSP&T are representing public and private entities across the country in cases related to water and site contamination as a result of PFAS including the following:

- South Adams County Water & Sanitation District, CO
- City of San Jose, CA
- Bakman Water Company, CA
- City of Sioux Falls, SD
- Hillsborough Community College, FL
- City of Lauderhill, FL
- City of Zephyrhills, FL
- City of Pensacola, FL
- Town of Barnstable, MA
- Town of Ayer, MA
- Town of Maysville, NC
- California Water Services Company, CA
- Emerald Coast Utilities Authority, FL
- Coraopolis Water & Sewer Authority, PA
- Sioux Falls Regional Airport Authority, SD
- England Economic & Industrial Development District, LA
- New Orleans Lakefront Airport, LA
- Delaware County, PA
- Monterey Peninsula Airport District, CA
- Santa Clarita Valley Water Agency, CA
- City of Ruston, LA
- Town of Danvers, MA
- City of Tacoma, WA
- Town of Bellingham, MA
- City of Boise, ID
- City of Watertown, SD
- Iberia Parish Airport Authority, LA
- San Bernardino International Airport Authority, CA

References from former government clients

Baron & Budd, P.C.

Alison Hoffman, Dep. Attorney General
 State of Rhode Island
 150 South Main Street
 Providence, RI 02903
 (401) 274-4400

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 Sonoma County Counsel's Office
 575 Administration Drive, Room 105-A
 Santa Rosa, CA 95403
 (707) 565-2421

Maria Bee, Special Counsel
 Oakland City Attorney's Office
 City Hall, 6th Floor
 1 Frank Ogawa Plaza
 Oakland, CA 94612

(510) 238-3814

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State of Louisiana
Governor's Mansion
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In February of 1988, Craig Eiland settled in Galveston and began practicing law. In 1992, he opened The Law Offices of A. Craig Eiland, with offices in Galveston and Houston. In January of 2015 he opened an office in Austin.

Background:

Baylor University, 1984, B.B.A. in Business Administration
Baylor School of Law, 1987, J.D.

Experience:

1987 - 1990 - Mills, Shirley, Eckel & Bassett, Galveston, Texas
Insurance Defense
1990 - 1992 - Ernest H. Cannon & Associates
Personal Injury and Maritime Litigation
1992 - present - Law Offices of A. Craig Eiland. Eiland & Bonnin, P.C.
Commercial, Insurance, Pharmaceutical, Personal Injury and
Maritime Litigation

Recognitions/Associations:

--"Preeminent" rating "Highest Ethical Standards and Professional Excellence" Martindale Hubbell
--American Board of Trial Advocates
--Texas Super Lawyer
--Million Dollar Advocates Forum
--Best Lawyers in Texas, US News & World Report
--Best Lawyers in America, US News & World Report
--Leading Plaintiffs Lawyers in America, LawDragon
--Top Texas Verdict, Texas Lawyer

Bar Admissions

--Texas State Bar
--New York State Bar
--US Supreme Court Bar

- US Court of Federal Claims
- Numerous Federal Courts across the country

State Representative: 1995-2015

- Elected to Texas House of Representatives 1994 (defeated 3 Democrat and 5 Republican challengers)
- Speaker Pro Tempore, 2009-2011
- 6 terms on Appropriations Committee having appropriated over \$500 billion.
- 9 terms on Insurance Committee

Arbitrator:

- \$42,000,000 attorney fee dispute. 2021
- \$40,000,000 school district claim for storm damage (pending 2022)

Complex Litigation

Eiland recently completed the representation of 1,000 victims of the Las Vegas MGM/Route 91 shooting which settled for \$800,000,000. Shortly after the shooting Eiland was contacted by a colleague who had a childhood friend that was shot and seriously injured. Eiland retained local counsel and, with co-counsel, obtained temporary and permanent injunctions regarding the festival grounds and the shooter's room. Eiland and his co-counsel's case eventually became the lead case through which all cases settled after battling hundreds of declaratory judgement actions, attempts to form a federal multidistrict litigation designation and a federal court motion to dismiss.

Currently, Eiland is on the Plaintiffs Steering Committee, and David Bonnin is on the Executive Committee, for Tenofovir Litigation vs Gilead Sciences in San Francisco with over 23,000 claims filed.

Eiland represented over 900 farmers in the Syngenta Corn Litigation which settled for \$1,500,000,000 on behalf of all farmers in the US.

Eiland and his firm represented 1,000 women injured by defective vaginal mesh.

Eiland and his firm represented 600 women across the country who suffered damages as a result of the diet drug Fen-Phen.

Eiland was a member of the Plaintiffs' Steering Committee for BP Texas City Explosion and Hurricane Ike litigation.

Trials/Settlements:

4 Jury Verdicts in Excess of \$2 million and many out-of-court settlements in excess of \$1 million.

Complex cases handled across the USA. International involvement from Turkmenistan, Germany, Greece, Kenya and St. Lucia.

-\$14,000,000—Industrial accident. Severed aorta and multiple internal injuries. Client recovery \$9,330,665.00.

-\$13,000,000—Industrial accident. Amputated ankle, multiple injuries. Client recovery \$8,649,596.00.

-\$11,580,616.00 – School District with 31 buildings sued its primary and excess carrier for underpayment and violations of the Texas Insurance Code damage. Expenses were in excess of \$600,000. Client's net recovery was \$8,524,951.95. Lead attorney with co-counsel.

-\$9,000,000. Public Port vs development company for breach of contract. Joint Co-Counsel.

-\$8,935,000 – Three Condominium Associations for a complex with 27 buildings filed suit against the developer, subsequent owner, elevator company and insurer for construction defects related to improper concrete construction and maintenance as well as product defect and failure to pay for hurricane damage. Net recovery to client \$5,314,997.97. Lead attorney

-\$7,775,000 – City vs its insurance carrier for underpayment and violations of Texas Insurance Code and insurance policy damage claim. Claim involved 109 separate properties and included litigation and appraisal. The recovery was in excess of \$1,600,000 the City recovered on its own before retaining Eiland. Expenses of appraisal and litigation were in excess of \$850,000. Client recovered \$4,665,000. Lead Attorney.

- \$7,558,907.86 – Historical office building sued its primary and two excess insurance carriers for damage claim. Prior to Eiland involvement, initial recovery was \$800,000. The eventual total recovery included a reduction of the remediation contractor's claim which was in excess of \$1.7 million. Expenses were approximately \$300,000. Client's net recover was \$4,680,036.21. Lead attorney

-\$7,290,000 – Family sued 7 insurance companies, 2 agents and 1 attorney for convincing 90-year-old widow to sell all of her stock and purchase life

insurance and annuities because she was “over concentrated” in one stock. The stock happened to be Berkshire-Hathaway. Co-Counsel. Settled after jury selection and upon Plaintiff’s conclusion of evidence.

-\$6,025,743 – School district sued its flood and wind carriers for damage to 27 building across multiple campuses. The expert and engineering damage reports exceeded 9,000 pages of documentation. Client recovery \$3,396,912. Lead attorney with co-counsel.

-\$4,950,000 – Settlement for Texas County’s damage claim. The County’s recovery prior to retaining Eiland was \$2,288,162.52. Eiland obtained an *additional* \$4,950,000 with a net to client of \$3,065,000. The expenses were in excess of \$900,000 reduced down to \$685,000.

-\$4,594,784.35 - Settlement for family-owned industrial properties in 3 separate suits for business interruption, flood damage and insurance broker error and omission claims (including recovery through bankruptcy). Client’s net recovery was \$3,611,708.44. Lead attorney with co-counsel.

-\$2,625,000.00 - Settlement for Galveston businessman with one commercial and three residential properties vs insurance carrier for damage claim.

As an elected official for 20 years as a State Representative, Craig Eiland has an understanding of what elected officials and public entities are confronted with when considering litigation. He has represented numerous Texas public entities in litigation (Galveston County, Chambers County, Port of Galveston, City of Galveston, La Marque ISD, Texas City ISD, Barbers Hill ISD, LaPorte ISD, Anahuac ISD, East Chambers ISD, etc.).

Craig Eiland has experience in complex litigation which can require the investment of hundreds of thousands to millions of dollars of litigation expenses. His cases have made national and international headlines. He has appeared on Tucker Carlson, interviewed by the New York Times, Wall Street Journal, Los Angeles Times, The BBC, etc.

Eiland recently completed the representation of 1,100 victims of the Las Vegas MGM/Route 91 shooting which settled for \$800,000,000. Shortly after the shooting Eiland was contacted by a colleague who had a childhood friend that was shot and seriously injured. Eiland retained local counsel and, with co-counsel, obtained temporary and permanent injunctions regarding the festival grounds and the shooter's room. Eiland and his co-counsel's case eventually became the lead case through which all cases settled after battling hundreds of declaratory judgement actions, attempts to form a federal multidistrict litigation designation and a federal court motion to dismiss.

Currently, Eiland is on the Plaintiffs Steering Committee, and David Bonnin is on the Executive Committee, for Tenofovir Litigation vs Gilead Sciences in San Francisco with over 23,000 claims filed.

Eiland represented over 900 farmers in the Syngenta Corn Litigation which settled for \$1,500,000,000 on behalf of corn farmers in the US.

When the BP refinery exploded in Texas City, Texas and killed 15 people, Eiland took on the legal challenge to represent some of the worst injured company employees. Although most thought the Texas Workers Compensation bar would prevent any recovery, Eiland was able to pierce the bar and recover significant sums for his clients.

When the BP refinery explosion trial occurred, Eiland and his former boss Ernest Cannon, tried the case. When they rested from presenting their evidence, the defendants settled, not just the clients which were a part of the trial, but over 100 remaining injured victims as well.

Craig Eiland has also responded to local businesspeople taking on multinational companies for comparatively small damages. He responded to an elected official's request to help a local rabbit farmer who had hundreds of rabbits killed by contaminated rabbit food made by Purina. Eiland proved the rabbit food contained horse pellets. The jury found for the rabbit farmer and included the maximum damages available plus attorney fees.

He has taken on local cases which gained international attention such as when a Texas City plumber's F-250 pick-up ended up on TV with the company logo and phone number. The problem was the truck and logo were near Aleppo, Syria with fighters along with an anti-tank gun mounted in the back.

A more detailed CV is attached.

SCOTT SUMMY
“THE WATER LAWYER”

Leader of the Environmental Litigation Group (ELG) at Baron & Budd. ELG was started by Mr. Summy in 2002 and is comprised of 30 attorneys and support professionals who concentrate in large environmental litigation across the country. In 2020, Law360 recognized ELG as one of its highly prestigious Practice Groups of the Year awards for the United States in the category of Environmental Law.

Mr. Summy’s resume of cases reads like a Greatest Hits album for Environmental Litigation. It all started with a single phone call in August 1995 when Mr. Summy was a baby lawyer. He received a call from a prospective client in North Carolina who had learned that he and all of his neighbors had been drinking the chemical MTBE in their drinking water wells for years. After years of fighting and a trial, the case resulted in a record settlement.

Little did Mr. Summy know, but MTBE was contaminating drinking water wells all over America, and his case was the first! This led to Mr. Summy being hired by public water providers all over America whose wells were contaminated. This was just the start. This led to Mr. Summy becoming the “go to” lawyer for Public Entities facing environmental contamination impacting their public resources. Mr. Summy has represented Public Entities from the East Coast to the West Coast and everywhere in between. Mr. Summy and his ELG Team have achieved billions of dollars on behalf of their clients in Environmental Litigation.

GREATEST HITS

PCBs

These cases focus on the importance of stormwater and the waterbodies that stormwater drains into. ELG represents multiple public entities that have sued Monsanto for the effects of legacy contamination from PCBs. Municipal public entities are being required to expend monies to lower the levels of PCBs from their stormwater systems. States are dealing with the effects of PCBs to precious natural resources including all forms of sea life, including fish and whales. These natural resources are being impacted by PCBs in part due to contaminated stormwater being released into some of the country’s most precious waterbodies and impacting the sea life that lives there. Monsanto knew about the toxic effects of PCBs decades ago. It also acknowledged that its product had reached the status of “global contaminant”. These lawsuits are based in tort in multiple jurisdictions and are the first product liability tort cases in America dealing with stormwater.

Summy helped negotiate a landmark \$648M nationwide class settlement with Monsanto on behalf of permitted stormwater operators who discharge into PCB impaired waterbodies. The settlement was approved by Judge Olguin in the Central District of California. This is believed to be the first case in US history to hold the manufacturer of a product responsible for stormwater contamination. The Court overseeing the settlement has appointed Summy, John Fiske and Carla Pickrel, all of ELG, as Lead Class Counsel. Separate settlements totaling \$167.6M have also been reached on behalf of the States of Washington, the District of Columbia and New Mexico.

Many of ELG’s clients filed the individual lawsuits that resulted in the class settlement and these clients are serving as proposed Named Class Representatives. They include the Cities of Baltimore, Berkeley, Chula Vista, Long Beach, Oakland, Portland, San Diego, San Jose, Seattle,

Spokane and Tacoma; the Port of Portland; Counties of Baltimore and Los Angeles; District of Columbia and the States of Washington and New Mexico due to PCB contamination.

MTBE

Mr. Summy represented over 200 public water providers (e.g., municipalities, water districts, utilities, and school districts) and private well owners whose water was contaminated by MTBE and/or TBA. Many of these cases were consolidated in an MDL where Mr. Summy was appointed Co-Lead Counsel and a member of the Plaintiffs' Steering Committee. On behalf of these clients, Mr. Summy sought cost recovery for treatment facilities, operation and maintenance costs, out-of-pocket expenses, and administrative costs. Settlements in these cases total over a billion dollars. A settlement of particular note was for the City of Santa Monica which was valued by the Court at \$315.5 Million. Mr. Summy currently represents the State of Rhode Island in MTBE litigation. To date, ELG has obtained over \$18 Million in settlements for the State and is continuing to litigate against the remaining defendants. (For a complete list of MTBE Clients, see Appendix of Cases and Results.)

Atrazine

Mr. Summy also represented all public water providers in the United States whose water was contaminated with atrazine, a common agricultural chemical used on corn and other crops. On behalf of these water providers, the Group brought claims against Syngenta, the company that makes atrazine and is aware that its normal use causes drinking water contamination. Mr. Summy negotiated a settlement awarding \$105 million to over 2,000 water providers. Mr. Summy served as Co-Lead/Class Counsel appointed by the Court on behalf of all Class Members. (For a complete list of Atrazine Clients, see Appendix of Cases and Results.)

California Wildfires

Mr. Summy and ELG currently represent over 50 Public Entities in litigation resulting from the devastating 2015, 2017 and 2018 California wildfires. The firm also represents hundreds of individuals and businesses. These fires were caused by the electrical utilities failure to recognize the new normal caused by Climate Change. These utilities failed to maintain their equipment and secure and maintain the foliage that surrounds their equipment. These cases are pending in four consolidated pieces of litigation - two in the North: Northern California Fires, JCCP 4955 and Camp Fire Cases, JCCP 4995; and two others in the South: Southern California Fires, JCCP 4965 and Woolsey Fires, JCCP 5000. Mr. Summy currently serves, along with Baron and Budd Shareholder John Fiske, as Co-Lead Counsel for the Public Entities in Southern California and Woolsey Fire JCCPs. He was also appointed as Co-Lead Counsel for the public entities in the Northern California JCCP prior to PG&E filing bankruptcy. Those cases are now pending in the bankruptcy court.

Mr. Summy recently reached a settlement for the Northern California Public Entities for \$1 Billion. The clients included Butte County, Butte-Glenn Community College District, City of Chico, City of Clearlake, City of Cloverdale, Lake County, Mendocino County, City of Napa, Napa County, Nevada County, City of Santa Rosa, Paradise Recreation & Park District, Sonoma County, Thermalito Water and Sewer District, Town of Paradise, Town of Windsor and Yuba County. He had previously settled cases on behalf of several public entities for the damages they suffered as a result of the Butte Fire. Those entities include Calaveras County, Calaveras County

Water District, Ebbetts Pass Fire District, San Andreas Fire District and West Point Fire District. He also secured a \$360 million settlement from Southern California Edison on behalf of 23 public entities for taxpayer losses caused by the 2017 Thomas Fire, the 2018 Montecito Debris Flows, and the 2018 Woolsey Fire. These clients include Carpinteria-Summerland Fire Protection District, City of Agoura Hills, City of Calabasas, City of Hidden Hills, City of Malibu, City of Santa Barbara, City of Thousand Oaks, City of Ventura, City of Westlake Village, Conejo Valley Recreation and Park District, Conejo Open Space Conservation Agency, Los Angeles County, Los Angeles County Consolidated Fire Protection District, Los Angeles County Flood Control District, Montecito Water Protection District, Montecito Fire Protection District, Rancho Simi Recreation and Park District, Santa Barbara County and several related agencies and Ventura County and several related agencies.

In addition to several public entities, Mr. Summy represents thousands of families and businesses who lost everything due to the negligent maintenance, inspection, and operations of these investor-owned utilities.

PFAS/AFFF

1. AFFF MDL

Mr. Summy was recently appointed as Co-Lead Counsel by the court in AFFF MDL No. 2873 pending in federal district court in South Carolina. This litigation focuses on PFAS contamination to the environment by its use in fire foam. The litigation focuses on the manufacturers of AFFF and PFAS and seeks damages for the extensive contamination. This is the hottest environmental issue in the United States presently. Mr. Summy represents numerous public entities in the MDL. They include the State of Alaska, the State of Mississippi, Bakman Water Company, California Water Service Company, City of Boise, City of Lauderdale, City of Pensacola, City of San Jose, City of Sioux Falls, City of Tacoma, City of Zephyrhills, Coraopolis Water & Sewer Authority, Emerald Coast Utilities Authority, England Economic and Industrial Development, Hillsborough Community College, Lakefront Management Authority, Mississippi Rural Water Association, Monterey Peninsula Airport District, San Bernardino International Airport Authority, Santa Clarita Valley Water Agency, Sioux Falls Airport Authority, South Adams County Water and Sanitation District, Town of Ayer, Town of Barnstable, Town of Bellingham, Town of Danvers, Town of Maysville and Town of Millis.

Mr. Summy is also serving as Co-Chair of the General Liability Discovery Committee and the Science Committee. Baron and Budd Shareholder Carla Burke is also serving as Co-Chair of the Law and Briefing Committee.

2. GEN-X

Mr. Summy and the Group are currently seeking relief on behalf of public water providers and individuals against E. I. du Pont de Nemours and The Chemours Company for decades-long contamination of the Cape Fear River, along with the air and groundwater near the Fayetteville, North Carolina, plant, from Gen-X compounds and dozens of other per- and polyfluoroalkyl substances in the PFAS chemical family. For 35 years DuPont and Chemours have contaminated the river and over a hundred private wells around the plant. Mr. Summy and the Group represent Brunswick County, the Town of Wrightsville Beach, and the Lower Cape

Fear Water & Sewer Authority as they seek to recover the costs of removing all PFAS chemicals before the water is distributed to the public. The Group also represents the owners of most of the private wells around the plant that have been contaminated and is seeking damages for well filtration, all costs associated with filtration and property damage. This case is of national significance as focus has shifted to the prevalence of PFAS chemicals around the country.

Gulf Oil Spill

Mr. Summy's experience with environmental litigation led to a leadership role in the litigation arising from the Deepwater Horizon explosion and oil spill in the Gulf of Mexico. In 2010, he was appointed to the Plaintiffs' Executive Committee and Plaintiffs' Steering Committee in the Gulf Oil Spill Multi-District Litigation in the Eastern District of Louisiana. In that capacity, he played a critical role in negotiating a settlement and claim procedure for the tens of thousands of individuals, businesses, and governmental entities injured by the oil spill. To date, the value of this settlement is estimated to exceed \$14 Billion. Mr. Summy and the Group also represented hundreds of businesses with claims against BP and have recovered in excess of \$100 million on behalf of these clients.

Mr. Summy also represented a number of public entities who sustained loss of tax revenue due to the oil spill. Mr. Summy assisted these public entities in recovering significant losses due to the oil spill. These include City of Anna Maria, City of Bristol, City of Holmes Beach, City of Marathon, City of Monticello, City of Niceville, City of Palmetto, City of Pensacola, City of St. Marks, City of Tallahassee, Collier County, Escambia County, Jackson County, Jefferson County, Lee County, Leon County, Manatee County, Monroe County, Okaloosa Gas District, Pensacola Downtown Improvement Board, Santa Rosa County, School Board of Calhoun County, School Board of Escambia County, School Board of Jefferson County, School Board of Leon County, School Board of Martin County, School Board of Miami-Dade County, School Board of Monroe County, School Board of Palm Beach County, School Board of Polk County, School Board of Santa Rosa County, School Board of Volusia County, School Board of Wakulla County, Town of White Springs, Village of Islamorada, and Wakulla County.

TCP

Mr. Summy and the Group were involved in developing successful product liability theories against the makers of nematicides applied to crops in California. These nematicides contained the scavenger chemical 1,2,3TCP. Over the last decade, Mr. Summy and the Group have represented many California Public Entities whose public drinking water wells were impacted by TCP. The Public Entities represented include California Water Services, City of Bakersfield, City of Delano, City of Livingston, City of Oceanside, City of Shafter, City of Wasco, Lamont Public Utility District and Montara Water & Sanitary District. Results to date exceed \$200 Million. The group currently represents Delano Growers Grape Products, Goose Lake Mutual, North Kranenberg Water System, San Joaquin County and Wini Mutual Water Company regarding their TCP contamination.

Santa Barbara Oil Spill

Mr. Summy represented the City of Santa Barbara and Santa Barbara County against Plains All-American Pipeline. Their pipeline ruptured spilling oil in the vicinity of Santa Barbara and the Pacific Ocean. These cases were successfully resolved.

Coal Ash – Duke Energy

Mr. Summy and the Group were part of the team that successfully resolved litigation for residents living nearby Duke Energy Coal Ash ponds. Chemicals have leaked from these ponds and contaminated drinking water wells with hexavalent chromium and other dangerous chemicals.

Awards

Mr. Summy's work has been recognized for numerous awards. They include:

- Law360 – Practice Group of the Year – Environmental Law category (2020)
- Two Time Finalist for the Prestigious national Public Justice Trial Lawyer of the Year Award (2009, 2013)
- California Lawyer Magazine Trial Lawyer of the Year Award (CLAY) for Environmental Law – MTBE Litigation 2001
- Best Lawyers in America in Mass Tort Litigation/Class Actions – 18 years running
- 2016 Best Lawyers – “Lawyer of the Year” Mass Tort Litigation/Class Actions (Dallas/Ft. Worth)
- Selected as 2022 Texas’ Best Lawyers
- Selected as Top 10 Environmental Trial Lawyer’s Association National Trial Lawyer Magazine
- Winner of the prestigious Burton Award for “Poisoning the Well,” Trial Magazine (August 2016)
- Selected as America’s Top 100 High Stakes Litigators (2018 - 2020)
- Selected as a 9 Figure Litigator by America’s High Stakes Trial Lawyers (2020)
- Selected as America’s Top 100 Personal Injury Lawyers (2020)
- Legacy Award Winner for Civility and Integrity – Tarleton State University 2016
- Selected as Texas Super Lawyer – 12 consecutive years
- Selected by D Magazine as one of the “Best Lawyers in Dallas” (4 years)
- Selected as a Fellow of the American Bar Association (2019)

- Selected as one of “The American Trial Lawyers Association’s Top 100 Trial Lawyers for Texas - 2008”
- Selected to be included in Lawdragon, 500 Leading Attorneys in the US 2009 edition
- Selected as one of “The American Trial Lawyers Association’s Top 100 Trial Lawyers for Texas - 2008-2009”
- Selected by Texas Monthly to be included in “Super Lawyers Business Edition” (inaugural publication)
- Recognized as a “highly recommended” attorney in Baron & Budd’s selection to the Legal 500 List (2012)
- Selected by Benchmark Litigation, the Guide to America’s Leading Litigation Firms and Attorneys, as a Leading Plaintiffs Star in Texas (2012)
- Selected to be included as a 2013 Top Rated Lawyer in Energy, Environmental, & Natural Resources in the April issue of The American Lawyer & Corporate Counsel magazine
- Selected by Benchmark Litigation as a “Local Litigation Star” in Texas 2014 edition
- America’s Top 100 Attorneys – Lifetime Achievement Award
- Selected as one of the Premier 100 Trial Attorneys for The National Academy of Jurisprudence (2016)
- Selected as one of the “Premier 20 Over 20” trial attorneys for Texas for The National Academy of Jurisprudence (2017)
- Recognized as a “recommended” attorney in Baron & Budd’s selection to the Legal 500 List (2017)
- Selected to be named to the National Law Journal’s Plaintiff’s Lawyers Trailblazer List
- Selected to be included in the National Trial Lawyer - Top 10 Environmental Trial Lawyers Association (2018)

Educational Background

Texas Tech University School of Law, J.D. 1990
 Phi Delta Phi
 Board of Barristers

John Marshall Moot Court Team
National Moot Court Team
Recipient: American Jurisprudence Award for Appellate Advocacy
Tarleton State University, B.A. 1986 (cum laude)

Admitted to Practice in the Following Courts

Summy is frequently allowed to practice in states all over the country by applying for admission “pro hac vice.” This allows Summy to handle individual water cases in numerous states. Summy is licensed in the following states and courts:

Supreme Court of Texas
All State Courts in Texas
Federal Eastern District of Texas
Federal Northern District of Texas
Federal Southern District of Texas
Federal Western District of Texas
Fifth Circuit Court of Appeals
Supreme Court of North Carolina
All State Courts in North Carolina
All State Courts in New York
Federal Northern District of Indiana
Federal Southern District of Illinois
Superior Court of the State of California, County of Contra Costa

Summy is also AV Preeminent rated by Martindale-Hubble.
In 2020, Summy received the AV Preeminent Judicial Rating as well.

Publications

Summy has published articles regarding the legal aspects of handling cases involving chemicals that impact his clients. In 2003, Summy’s MTBE water clients were placed at tremendous risk when the “MTBE Liability Waiver” provision was added to the proposed Energy Bill coming out of the Legislature’s Conference Committee. The MTBE Liability Waiver would have stripped Summy’s MTBE water clients of their rights to pursue the major oil companies under a products liability cause of action. Summy attempted to assist his clients by criticizing the controversial provision. These are cited as follows:

“MTBE Immunity Provision A Bad Idea,” Texas Lawyer, October 13, 2003

“‘Fuel Safe Harbor’ Provision Grants Immunity to MTBE Manufacturers,” New Jersey Law Journal, Vol. CLXXIV - No. 3 - Index 237, October 20, 2003

“Cities May Lose Rights to Pursue Oil Companies for MTBE Contamination,” New Jersey Conference of Mayors, February, 2004

One article authored by Summy was picked up by legal journals and mainstream publications in 124 instances in 15 states with a readership total of 4,434,256. This article was entitled, “Should the Public Pay for the Oil Industry's Mistake?”

Summy also co-authored an article entitled, “The Texas Residential Construction Liability Act: Framework for Change.” It appeared in the Texas Tech Law Review, 27 Texas Tech Law Review 1 - 31 (1996).

“Managing Claims Arising From the Gulf Coast Oil Spill: Multidistrict Litigation v. the \$20 Billion Fund,” in TXLR, Vol. 25, # 26, July 8, 2010

“The Legal Challenges and Ramifications of Gulf Oil Spill,” Aspatore Special Report - Understanding the BP Oil Spill and Resulting Litigation - An In-Depth Look at the History of Oil Pollution and the Impact of the Gulf Oil Coast Disaster, 2010; Also appeared in West’s 2010 Gulf Coast Oil Disaster - Litigation and Liability, October 2010.

“Poison In The Well,” American Association of Justice – Trial Magazine, August 2016. Co-authored with John Fiske and Carla Burke Pickrel.

“Unnatural Disasters,” American Association of Justice – Trial Magazine, January 2019. Co-authored with John Fiske.

Testimony Before Legislative Bodies

Summy testified before the Texas House Civil Practice and Remedies Subcommittee in opposition to HB 1927 designed to provide immunity to manufacturers of gasoline additives.

Presentations

Summy regularly presents at both legal and environmental seminars. Of note, in 2003 Summy was invited to present at a seminar to discuss American Indian Tribal Concerns regarding Perchlorate contamination in the Colorado River. Summy’s presentations include the following:

Mealey’s Emerging Toxic Torts, “UST and MTBE Litigation Conference” (Co-Chairman, November 15, 1999).

Mealey’s Toxic Tort Conference: Plaintiff, Defense and Expert Perspectives (April 17-18, 2000).

Mealey’s MTBE Conference (May 11-12, 2000).

American Bar Association Section of Environment, Energy, and Resources 30th Annual Conference on Environmental Law (March 8-11, 2001).

Mealey’s MTBE Litigation Conference 2001 (May 10-11, 2001).

Mealey’s MTBE & USTs Litigation Conference (Co-Chairman, November 4-5, 2002).

United States Composting Council 11th Annual Conference (January 28-30, 2003).

Tribal Concerns - Perchlorate Contamination Conference, "How Do We Pay The Costs of Restoration?" (September 10, 2003).

International Municipal Lawyers Association, "Protecting Your Drinking Water: MTBE Detects? The Solution to MTBE Pollution" (October 12 - 15, 2003).

United States Composting Council 12th Annual Conference (January 25-28, 2004).

Investigation and Remediation of Dry Cleaner Release Sites - Groundwater Resources Assn., "PCE - The Groundwater Contamination Problem: Who Should Pay to Clean Their Waste From Our Water?", Sacramento, CA (April 7, 2004).

American Ground Water Trust, "Perchlorate in America's Ground Water" (May 3, 2004).

2004 NGWA Groundwater and Environmental Law Conference, "The 2003 Federal Energy Bill and MTBE Liability Protection: If You Fail in Court You Can Win in Congress" (May 5-6, 2004).

"Expert Witnesses," Guest Lecturer, Saint Louis University Law School (September 25, 2004).

International Municipal Lawyers Association, "Emerging Contaminants," (October 5, 2004).

California Nevada Section - American Water Works Association, "Perchlorate - The Blast That Lasts," (October 13, 2004)

2004 Page Keeton Civil Trial Conference, "Representing Water Providers in Environmental Litigation," (October 28, 2004)

2004 Mealey's MTBE and USTs Litigation Conference, "Lessons Learned in the Settlement and/or Trial of MTBE Cases," (December 7, 2004)

2005 National Ground Water Association Ground Water Summit, "Emerging Contaminants, MTBE and Their Impact on America's Water Supply," (April 18, 2005)

Ohio Section - AWWA Conference, "Atrazine Litigation: Recovering the Costs of Treatment," (September 21, 2005)

2005 International Municipal Lawyers Association Annual Conference, "Representing Public Water Providers in Water Contamination Cases," (September 26, 2005)

Ohio Section - AWWA - 9th Annual Safe Drinking Water Act Seminar, "Atrazine Litigation: Recovering the Costs of Treatment," (November 17, 2005)

360 Advocacy Institute - Gulf Coast Disaster: Representing the Plaintiffs - Individuals to Institutions, "Back to the Future - Limitations of Shipowners' Liability Act of 1851 (46 U.S.C. § 30505)," (May 20-21, 2010)

HB Litigation Conferences - Oil in the Gulf: Litigation & Insurance Litigation Coverage Conference, “National Survey of Cases Filed to Date & Coordinating State and Federal Cases,” (June 24-25, 2010)

Mass Torts Seminar - Deepwater Horizon/BP Spill, Status of MDL, April 20th Deadline and Status of Scientific Experts (April 13-15, 2011)

"BP Oil Spill Litigation Update," Energy Accounting and Technology Conference, University of New Orleans, May 15, 2012

ABA Section of Environment, Energy, and Resources, 21st Fall Conference, Water, Wind, Waste, and More: Navigating New Tides in Environment, Energy and Resource Regulation “Low Dose Litigation ‘The Plaintiff’s Perspective,’” (October 9-12, 2013)

360 Advocacy, Damages: Go Big, Always Go Big, “Many Ways to Go Big – A Different Perspective on Environmental Cases.” (June 12-14, 2016)

California Coast Chapter of ABOTA: “Wildfire Litigation Spreads to Mass Tort” (February 21, 2018)

5th Annual Class Action Money & Ethics Conference: “Easily Found and Hard to Forget: Class Action and Forever Chemicals-Environmental PFAS Liabilities: The Plaintiffs’ Perspective” (June 29, 2021)

ALI CLE: “What’s on the Horizon for PFAS Regulation? Rulemaking, Remediation, and EPA’s ‘Roadmap’” (December 6, 2021)

ABA Class Actions Institute 2022 – Public Nuisance Panel (April 12, 2022)

Summy’s Memberships and Affiliations

Summy is actively involved in organizations that are important to his clients, public and private well owners. Summy was also selected in 2003 to become a member of the Board of Directors for the nationally acclaimed Western Environmental Law Center. Organizations in which Summy actively participates are as follows:

Water

Association of Metropolitan Water Agencies (AMWA)
National Association of Water Companies (NAWC)
Association of California Water Agencies (ACWA)
American Ground Water Trust

Environmental

Western Environmental Law Center - Advisory Council (2003 – 2005)

Legal

American Association for Justice (Co-Chair Gulf Coast Oil Spill Litigation Section;
Environmental Law Section; Interim Co-Chair – Wildfire Litigation Group)
State Bar of Texas
Public Justice - Board of Directors (2008 – 2011)

Environmental Law Section - State Bar of Texas
State Bar of North Carolina
International Municipal Lawyers Association (IMLA)
Fellow of Dallas Bar Association
Texas Trial Lawyers Association
State Bar of New York
Mass Tort Trial Lawyers Association
The National Trial Lawyers: Top 100 Trial Lawyers
National Academy of Jurisprudence
Consumer Attorneys of San Diego
Fellow of the American Bar Association

Charitable

1. Mr. Summy is the founder and President of Supreme Court Youth Organization (“SC”). SC is an organization which supports youth basketball teams as they compete nationally. It provides assistance to underprivileged kids that could not otherwise afford to participate. It also established and supports SASO (“Scholars and Athletes Serving Others”), which is a service organization of young men and their mothers who devote substantial service time to charitable events.
2. Mr. Summy was recently elected to the Board of Trustees of the Texas Tech Law School Foundation. His term begins on August 1st, 2020.
3. Mr. Summy endowed a Pre-Law Scholarship in his namesake at his alma mater, Tarleton State University.

How to Reach Scott Summy

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APPENDIX
(CASES AND RESULTS)

Over the last several decades Mr. Summy has handled numerous complex and noteworthy cases. A summary of those cases, the clients represented, and the results are as follows:

1. **In Re Oil Spill by the Oil Rig “Deepwater Horizon” in the Gulf of Mexico on April 20, 2010, MDL 2179**

Summy was appointed by the Court to the Plaintiffs’ Executive Committee and the Plaintiffs’ Steering Committee. He was also appointed Co-Class Counsel upon resolution. Summy represented 36 public entities and over 1,000 commercial businesses and individuals impacted by the spill. Summy has also spent substantial time in New Orleans in 2010 and 2011 fulfilling his roles on the EC and PSC. Summy also Co-Chairs the Science Group of the PSC which is responsible for developing evidence and hiring experts to determine the full impact of the spill, including Gulf seafood and the coastline. Summy is also involved in the discovery aspect of the case and has taken depositions in the United States and London, England.

Clients: City of Anna Maria, City of Bristol, City of Holmes Beach, City of Marathon, City of Monticello, City of Niceville, City of Palmetto, City of Pensacola, City of St. Marks, City of Tallahassee, Collier County, Escambia County, Jackson County, Jefferson County, Lee County, Leon County, Manatee County, Monroe County, Okaloosa Gas District, Pensacola Downtown Improvement Board, Santa Rosa County, School Board of Calhoun County, School Board of Escambia County, School Board of Jefferson County, School Board of Leon County, School Board of Martin County, School Board of Miami-Dade County, School Board of Monroe County, School Board of Palm Beach County, School Board of Polk County, School Board of Santa Rosa County, School Board of Volusia County, School Board of Wakulla County, Town of White Springs, Village of Islamorada, and Wakulla County

Results: The PSC secured an uncapped settlement fund to benefit many businesses and individuals impacted by the spill. This current estimated settlement is valued at over \$14 billion.) Clients directly represented by the Group recovered an estimated \$100M.

2. **MTBE and TBA Multi-District Litigation (“MDL 1358”) and Individual Actions**
[First MDL Settlement]

Summy represented over 200 public water providers including municipalities, water districts and utilities, and school districts and states across the country against the Major Oil Companies who made the decision to add MTBE to gasoline. Summy’s clients experienced MTBE and/or TBA contamination to their wells and seek damages/cost recovery to treat the contaminant(s). The clients represented by Summy are:

California: California-American Water Company, California Water Service Company, Citrus Heights Water District, City of Riverside, Del Paso Manor Water District, Fair Oaks Water District, Florin Resource Conservation District, M & P Silver Family Partners II, et

al., Fruitridge Vista Water Company, Quincy Community Services District, Rio Linda Elverta Community Water District, Riverview Water District, Yosemite Spring Park Utility Co, Inc.

Connecticut: Town of East Hampton, American Distilling and Mfg. Co. Inc., Our Lady of the Rosary Chapel, United Water Connecticut, Inc.

Florida: Emerald Coast Utilities Authority f/k/a Escambia County Utilities Authority

Illinois: City of Island Lake, Village of East Alton

Indiana: Town of Campbellsburg, Town of Mishawaka, North Newton School, City of Rockport, City of South Bend

Iowa: City of Galva, City of Ida Grove, City of Sioux City

Kansas: City of Bel Aire, Chisholm Creek Utility Authority, Dodge City, City of Park City

Louisiana: City of Marksville, Town of Rayville

Massachusetts: Brimfield Housing Authority (Brimfield, MA), Centerville-Osterville-Marsons Mills Water Department, Chelmsford Water District (Chelmsford, MA), Dedham Westwood Water District, City of Brockton, City of Lowell, City of Methuen, City of Peabody, Cotuit Fire District Water Department (Cotuit, MA), East Chelmsford Water District (Chelmsford, MA), Hillcrest Water District (Leicester, MA), Leicester Water Supply District (Leicester, MA), Massasoit Hills Trailer Park, Inc., North Chelmsford Water District (Chelmsford, MA), North Raynham Water District, Sandwich Water District, Sudbury Water District, Town of Avon, Town of Bedford, Town of Bellingham, Town of Billerica, Anawan Associates Realty, LLC, Town of Barnstable, Dennis Water District, Lunenburg Water District, Raynham Center Water District, Town of Douglas, Town of Marshfield, Town of Orange, Town of Provincetown, Town of Scituate, Town of Sterling, Town of Charlton, Town of Danvers, Town of Dover, Town of Dudley, Town of Duxbury, Town of East Bridgewater, Town of East Brookfield, Town of Easton, Town of Edgartown, Town of Halifax, Town of Hanover, Town of Hanson, Town of Holliston, Town of Hudson, Town of Merrimac, Town of Millis, Town of Monson, Town of Norfolk, Town of North Attleborough, Town of North Reading, Town of Norwell, Town of Pembroke, Town of Reading, Town of Spencer, Town of Stoughton, Town of Tewksbury, Town of Tyngsboro, Town of Ware, Town of Wayland, Town of West Bridgewater, Town of West Brookfield, Town of Weymouth, Town of Wilmington, Town of Yarmouth, United Methodist Church (Wellfleet, MA), Water Supply District of Acton, Westport Federal Credit Union, Westview Farm, Inc. (Monson, MA), Town of Middleborough, City of Lawrence, Town of Burlington, Town of Townsend, Town of Uxbridge, Town of Webster, Town of Lakeville, Indian Hills Realty, Town of Holden.

New Jersey: Borough of Penns Grove, City of Bridgeton, City of Camden, City of Gloucester City, Township of Winslow, City of Vineland, Elizabethtown Water Company, Little Egg Harbor Township, Mount Holly Water Company, Mount Laurel Municipal Utilities Authority, New Jersey American Water Company, Inc., Penns Grove Water

Supply Company, Inc., Point Pleasant, Southeast Morris County Municipal Utilities Authority, Township of Montclair, United Water Arlington Hills, Inc., United Water Hampton, Inc., United Water New Jersey, Inc., United Water Toms River, Inc., United Water Vernon Hills, Inc.

New Mexico: People of the State of New Mexico Through the Office of the Attorney General

New York: Franklin Square Water District, Great Neck North, Hicksville Water District, Jericho Water District, Long Island Water Corporation, Nassau County, Port Washington Water District, Roslyn Water District, Suffolk County, Suffolk County Water Authority, Town of Wappinger, United Water New York, Inc., Village of Pawling, Village of Sands Point, Western Nassau Water Authority

Pennsylvania: Northampton/Bucks County Municipal Authority

Vermont: Craftsbury Fire District #2, Town of Hartland

Virginia: Buchanan County School Board, Greensville County Water & Sewer Authority, Patrick County School Board

West Virginia: Town of Matoaka

Wisconsin: Town of Freedom, Freedom Sanitary Water District, Capital Credit Union, Coffey Insurance Services, St. Nicholas Parish, Brenda Abrahamson, et al. (private well owners)

Result: To date, settlements with Oil Company Defendants total over \$450 million and an agreement by 70% of the Major Oil Companies to pay for the treatment of new wells that become contaminated with MTBE and certain preconditions for the next 30 years. The well protection provided by the settlement protects over 3600 wells serving millions of Americans.

Notables:

1. Summy was aligned with the New Mexico Attorney General's office representing the State of New Mexico in their statewide MTBE case.
2. Many of the MTBE/TBA cases have been consolidated in a Multidistrict Litigation in New York before the Honorable Shira A. Scheindlin. Mr. Summy has been designated as co-lead counsel by Order of the Court for the plaintiffs in In re: MTBE, MDL 1358. Summy is a member of the Plaintiffs' Steering Committee and also serves as Treasurer for this Committee.
3. The total value of partial settlements reached to date is in excess of a half a billion dollars - the largest settlement in the history of MTBE litigation in the United States.

3. **MTBE and TBA Multi-District Litigation ("MDL 1358") and Individual Actions**
[Second MDL Settlement]

Plaintiffs: City of Pomona, California; City of Santa Barbara, California; Village of Bethalto, Illinois; City of Nokomis, Illinois; Village of Roanoke, Illinois; Town of Kouts, Indiana; Bridgewater Water Department, Massachusetts; Russell Water Department, Massachusetts; Mayor and Council of Berlin, Maryland; City of Aberdeen, Maryland; Town of Chestertown, Maryland; City of Salisbury, Maryland; Commissioners of Sharptown, Maryland; City of Taneytown, Maryland; County Commissioners of Worcester County, Maryland; City of Kennett, Missouri; Mound City, Missouri; City of Pattonsburg, Missouri; Coraopolis Water & Sewer Authority, Pennsylvania; Harrisville Fire District, Rhode Island; Town of Kingston, Rhode Island

Result: Settled for \$19,471,486.86

4. **MTBE and TBA Multi-District Litigation ("MDL 1358") and Individual Actions**
[Third MDL Settlement]

Plaintiffs: City of Manning, Iowa; RPI Blueberry Estates, Massachusetts; Brewster Water Department, Massachusetts; Harborside Village, Massachusetts; Holy Virgin Mary Spiritual Vinyard (St. Mark Coptic Orthodox Church), Massachusetts; Hopkinton Water Department, Massachusetts; RIGR, Massachusetts, Newburyport Water Department, Massachusetts; rEVO Biologics, Inc., Massachusetts; City of Portageville, Missouri; Town of Hinesburg, Vermont

Result: Settled for \$4,300,000

5. ***Hurshel L. Ashcraft, et al. v. Conoco, Inc., et al.***
(North Carolina) (1997)

Plaintiffs: 178 Residents of 2 Mobile Home Parks
Wells: 2 groundwater wells
Contaminants: Benzene and MTBE
Result: Tried to a jury in 1997. Settled when jury was out determining how much to award in punitive damages. Reportedly settled for \$36 Million.
Notables: First MTBE case ever tried to a jury in the United States. Largest settlement in North Carolina history at that time.

6. ***Alley, et al. v. Conoco, Inc., et al.***
(North Carolina) (1998)

Plaintiffs: 82 Residents of 2 Mobile Home Parks
Wells: 2 groundwater wells
Contaminants: Benzene and MTBE
Result: Settlement for \$6.85 Million

7. ***Barbara Fulcher, et al. v. Trinity American Corporation***
(North Carolina) (1998)
Plaintiffs: 3 families
Wells: 3 residential groundwater wells
Contaminants: Diesel fuel, chromium/chromate, chlorinated solvents, toluene
Result: Settled for \$900,000.00

8. ***Communities for a Better Environment v. Unocal, et al.***
(California) (2001)
Plaintiff: Communities for a Better Environment
Wells: Injunctive relief action brought to protect groundwater wells, public and private, across the State of California
Contaminants: MTBE
Result: After a partial bench trial, Defendants, Major Oil Companies, entered into settlement agreements, injunctive orders and judgments to change their business practices regarding MTBE. They agreed to provide warnings and incorporate state agency directives on cleanup to a legal judgment making delays contemptible. The settlement involved over 1000 sites and was valued at approximately \$200 Million.
Notables: The CBE legal team headed by Summy received the California Lawyer Attorneys of the Year (CLAY) Award for Environmental Law.

9. ***City of Santa Monica v. Shell Oil Company, et al.***
(California) (2003)
Plaintiffs: City of Santa Monica and Southern California Water Company
Wells: 5 public groundwater wells extracting from the Charnock Basin
Contaminants: MTBE and TBA
Result: Settlement valued by the Court at \$315.5 Million.
Notables: The settlement obtained for the City and Water Company requires the Defendants to pay for the design, construction, operation and maintenance of the filtration system until all wells are clean. Additionally, the Defendants paid the City approximately \$120 Million in cash. This allows the City to pay for its attorneys without going out of pocket.

10. ***Kimberly Kirkman, et al. v. ExxonMobil, et al.***
(Pennsylvania) (2003)
Plaintiffs: 7 Plaintiffs
Wells: 1 commercial groundwater well and 3 residential groundwater wells
Contaminants: MTBE
Result: Settled for \$670,000 cash. In addition, 2 plaintiffs obtained hook-up to public water and 4 plaintiffs obtained a Value Assurance Program to assist Plaintiffs in selling their homes

11. ***Salah Bichmaf, et al. v. ExxonMobil Corporation***
(New Jersey) (2003)
Plaintiffs: 8 Families
Wells: 5 groundwater wells
Contaminants: MTBE and Benzene

- Result: Confidential settlement.
Residents also hooked up to public water
12. ***Theodore Holten, et al. v. Chevron, U.S.A., Inc., et al***
(New Jersey) (2004)
Plaintiffs: Approximately 45 Private Residences
Wells: Approximately 45 Residential groundwater wells
Contaminants: MTBE, Benzene and TBA
Result: Settlement for \$2.6 Million
13. ***Communities for a Better Environment, et al. v. Tosco, et al.***
(California) (2006)
Plaintiffs: Communities for a Better Environment and Nicole McAdam
Wells: Acting as private Attorney General brought action under Prop 65 to protect groundwater, public and private groundwater wells throughout the State of California
Contaminants: Benzene and Toluene
Result: Settlements with defendants include injunctive relief, penalties, attorneys' fees and costs. The settlements have been valued in excess of \$100 Million.
Notables: This is the largest Prop 65 settlement to date in the state of California.
14. ***Village of East Alton v. Premcor Refining Group Inc. f/k/a Clark Refining & Marketing Inc.***
(Illinois)
Plaintiffs: Village of East Alton
Wells: 2 groundwater wells
Contaminants: MTBE and TBA
Result: Settlement over \$8 Million.
15. ***Francis Misukonis, et al. v. Atlantic Richfield Company, et al.***
(Illinois)
Plaintiffs: Private well owners
Results: Injunctive relief and attorneys' fees
16. ***Thomas G. Browning, et al. v. Explorer Pipeline Company, et al.***
(Texas) (2005)
Plaintiffs: Approximately 19 private residents requesting recovery for property damage
Results: Settlement over \$1.5 Million
17. ***Fruitridge Vista Water Company v. ExxonMobil, et al.***
(California)
Plaintiff: Fruitridge Vista Water Company
Wells: 4 Groundwater Wells
Results: Settlement over \$2.4 Million

18. ***Howard Graham, et al v. Shell Oil Company, et al.***
(Illinois)
Plaintiffs: Private well owners
Results: Injunctive relief and attorneys' fees
19. ***State of Vermont v. Atlantic Richfield, et al.***
(Vermont)
Plaintiffs: State of Vermont
Results: Successfully resolved
20. **TCE – Ametek Facility Discharge**

Plaintiffs: Class Action of Plaintiffs Exposed to TCE Contamination
Nearby landowners affected by TCE Plume
Results: Mr. Summy and the Group obtained a multi-million dollar class settlement on behalf of individuals, students and property owners who have been affected by a plume of chemicals, including TCE, emanating from the Ametek facility in El Cajon, California. This plume has been described as the largest TCE plume in the State of California. This case received the local media spotlight given that the plume spread underneath an elementary school exposing numerous students.
21. ***State of Rhode Island v. Atlantic Richfield, et al.***
(Rhode Island)
Plaintiffs: State of Rhode Island
Results: Reached settlements with several defendants totaling over \$18Million
Case continuing against several defendants

Lead

- Charlene LaVerene Mercurio, et al. v. Alcoa, Inc., et al.***
(Illinois)
Plaintiffs: Residents of the town of Rosiclare, Illinois
Contaminants: Lead and other heavy metals
Results: Confidential Settlement

Mercury

- Sandra Sue Fullen, et al. v. Philips Electronics North America, et al.***
(West Virginia)
Plaintiffs: Former employees of the Fairmont, West Virginia Philips plant
Contaminants: Mercury
Results: Confidential Settlement

Benzene

Lori Lynn Moss and Randy Moss, et al., v. Venoco, Inc., et al.
(California)

Plaintiffs: Former students, and others in the community, who were exposed to toxic materials near Beverly Hills High School

Results: Settled for \$30,000,000

TCP

Summy currently represents San Joaquin County whose wells have been contaminated by TCP. Previously, his group successfully resolved cases for over \$200 Million on behalf of the following water providers:

California Water Services
City of Bakersfield
City of Delano
City of Livingston
City of Oceanside
City of Shafter
City of Wasco
Lamont Public Utility District

Results: *City of Livingston* settled in 2011
City of Oceanside settled in 2011
City of Shafter settled in 2012
City of Wasco settled in 2013
Lamont Public Utility District settled in 2014
City of Delano settled in 2015
City of Bakersfield settled in 2017
California Water District settled in 2017

PCE

Summy represented California Water Services, City of Sunnyvale in California and Suffolk County Water Authority in New York due to the fact that their wells were contaminated by PCE.

Atrazine

Summy represented several water providers in the mid-west whose water supply was contaminated by atrazine. These water providers include:

Illinois: Illinois-American Water Company, City of Carlinville, City of Coulterville, City of Fairfield, City of Flora, City of Gillespie, City of Greenville, City of Hillsboro, City of Litchfield, City of Mount Olive, Holiday Shores Sanitary District, City of Mattoon, Village of Evansville, Village of Farina

Indiana: Indiana-American Water Company, City of Jasper

Iowa: Iowa-American Water Company, Chariton Municipal Water Works, Creston

Municipal Utilities, City of Gladbrook

Kansas: City of Carbondale, City of Dodge City, City of Hillsboro, City of Marion, City of Oswego, City of Plains, Rural Water District No. 2 of Miami County

Missouri: Missouri-American Water Company, City of Cameron, City of Concordia, City of Vandalia, City of Maryville

Ohio: Ohio-American Water Company, City of Upper Sandusky, Village of Monroeville, Village of Ottawa

Results: Class Action Settlement \$105,000,000

Notables: In May, 2012, Summy was appointed as Class Counsel for the Atrazine Settlement Class by Judge J. Phil Gilbert.
Approved Class Included Over 1,000 Public Water Providers

California Wildfires

Summy is part of a group that represents several public entities affected by the devastating 2015, 2017 and 2018 wildfires in California.

Northern California Wildfires

Public Entities: Butte County, Butte-Glenn Community College District, Calaveras County, Calaveras County Water District, City of Chico, City of Clearlake, City of Cloverdale, Lake County, Mendocino County, City of Napa, Napa County, Nevada County, City of Santa Rosa, Ebbetts Pass Fire District, Paradise Recreation & Park District, San Andreas Fire District, Sonoma County, Thermalito Water and Sewer District, Town of Paradise, Town of Windsor, West Point Fire District, and Yuba County.

Results: \$1 Billion Settlement

Southern California Wildfires

Public Entities: Carpinteria-Summerland Fire Protection District, City of Agoura Hills, City of Calabasas, City of Hidden Hills, City of Malibu, City of Santa Barbara, City of Thousand Oaks, City of Ventura, City of Westlake Village, Conejo Valley Recreation and Park District, Conejo Open Space Conservation Agency, Los Angeles County, Los Angeles County Consolidated Fire Protection District, Los Angeles County Flood Control District, Montecito Water Protection District, Montecito Fire Protection District, Rancho Simi Recreation and Park District, Santa Barbara County and several related agencies and Ventura County and several related agencies.

Results: \$360 Million Settlement

Butte Fire

Public Entities: Calaveras County, Calaveras County Water District, Ebbetts Pass Fire District, San Andreas Fire District and West Point Fire District

Result: Over \$25 Million Settlement

Reported Cases:

1. 1998 WL 404491 (E.D.N.C.), *Hurshel L. Ashcraft, et al., Plaintiffs, v. Conoco, Inc., et al., Defendants*, No. 7:95-CV-187-BR(3), United States District Court, E.D.N.C.
2. 218 F.3d 282, *Hurshel L. Ashcraft, et al., Plaintiffs, v. Conoco, Inc., et al., Defendants*, No. 7:95-CV-187-BR(3), United States District Court, E.D.N.C.
3. 218 F.3d 288, *Hurshel L. Ashcraft, et al., Plaintiffs, v. Conoco, Inc., et al., Defendants*, No. 7:95-CV-187-BR(3), United States District Court, E.D.N.C.
4. 2000 WL 1679502 (D. Virgin Islands), *Josephat Henry (Harvey), et. al v. St. Croix Alumina, LLC., et al.*, No. Civ. 1999-0036, District Court of the Virgin Islands, Division of St. Croix, Appellate Division.
5. 864 S.W.2d 648, *The Hartford Insurance Company, Appellant v. Commerce & Industry Insurance Company, Appellee*, No. 01-92-01166-CV, Court of Appeals of Texas, Houston (1st Dist.).
6. 852 S.W.2d 37, *The Sherwin-Williams Company, Appellant v. Trinity Contractors, Inc., Appellee*, No. 10-92-251-CV, Court of Appeals of Texas, Waco
7. 578 F.Supp.2d 519, *In re Methyl Tertiary Butyl Ether (MTBE) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y. 2008)
8. 2008 WL 2944653, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., Jul 30, 2008)
9. 2008 WL 2566551, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., Jun 26, 2008)
10. 2008 WL 2511038, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., Jun 18, 2008)
11. 2008 WL 2388911, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., Jun 12, 2008)
12. 2008 WL 2882543, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., Jun 4, 2008)

13. 2008 WL 2047611, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., May 13, 2008)
14. 2008 WL 1991113, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., May 7, 2008)
15. 2008 WL 1971538, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., May 7, 2008)
16. 2008 WL 1971547, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., May 7, 2008)
17. 559 F.Supp.2d 424, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., 2008)
18. 522 F.Supp. 2d 569, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., Nov 7, 2007)
19. 517 F.Supp.2d. 662, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., Sep 20, 2007)
20. 510 F.Supp.2d. 299, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., Sep 17, 2007)
21. 2007 WL 1791258, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., Jun 15, 2007)
22. 2007 WL 1601491, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., Jun 4, 2007)
23. 476 F.Supp.2d 275, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., Jan 8, 2007)
24. 2006 WL 1997471, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., Jul 18, 2006)
25. 2006 WL 1004725, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., Apr 17, 2006)
26. 458 F.Supp.2d 149, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., 2006)
27. 447 F.Supp.2d 289, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., 2006)
28. 438 F.Supp.2d 291, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., 2006)

29. 457 F.Supp.2d 324, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., 2006)
30. 457 F.Supp.2d 298, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., 2006), *motion for reconsideration denied*, 2006 WL 1816308 (June 26, 2006)
31. 415 F.Supp.2d 261, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., 2005)
32. 402 F.Supp.2d 434, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., May 31, 2005)
33. 399 F.Supp.2d 325, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., 2005)
34. 399 F.Supp.2d 320, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., Jul 26, 2005)
35. 2005 WL 1529594, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., June 28, 2005)
36. 2005 WL 1500893, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., June 24, 2005)
37. 399 F.Supp.2d 242, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., 2005)
38. 233 F.R.D. 133, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., 2005)
39. 379 F.Supp.2d 348, 364, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., 2005)
40. 2005 WL 106936, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., Jan 18, 2005)
41. 2005 WL 39918, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., Jan 6, 2005)
42. 364 F.Supp.2d 329, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., 2004)
43. 341 F.Supp.2d 386, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., 2004)

44. 341 F.Supp.2d 351, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., 2004)
45. 209 F.R.D. 323, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., 2002)(“*MTBE I*”)
46. 2002 WL 32361003, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., May 23, 2002) (“*MTBE I*”)
47. 174 F.Supp.2d 4, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. M 21-88, MDL 1358 United States District Court, (S.D.N.Y., Oct 16, 2001) (“*MTBE I*”)
48. 175 F.Supp.2d 593, *In re: Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation*, No. 00-Civ. 1898(BS) United States District Court, (S.D.N.Y., 2001)(“*MTBE I*”)
49. 144 Cal. App.4th 689, *D.J. Nelson, as Trustee, etc. v. The Superior Court*, No. C052420, Court of Appeal, Third District, California, (Nov 6, 2006)
50. *City of Greenville v. Syngenta Crop Prot., Inc.*, 2012 U.S. Dist. LEXIS 151819 (S.D. Ill. Oct. 23, 2012) (granting motion for final approval of settlement and award of attorney’s fees and expenses)
51. *City of Greenville v. Syngenta Crop Prot., Inc.*, 2012 U.S. Dist. LEXIS 74305 (S.D. Ill. May 30, 2012) (granting motion for preliminary approval)
52. *City of Greenville v. Syngenta Crop Prot., Inc.*, 830 F. Supp. 2d 550, 565 (S.D. Ill. 2011) (denying Syngenta AG’s motion to dismiss for lack of personal jurisdiction)
53. *City of Greenville v. Syngenta Crop Prot., Inc.*, 756 F. Supp. 2d 1001, 1004 (S.D. Ill. 2010) (denying Syngenta’s motion to dismiss under Federal Rule of Civil Procedure 12(b)(6))

CARLA BURKE PICKREL

PROFESSIONAL OVERVIEW

Twenty years litigation experience in complex environmental contamination and toxic tort cases.

Represents public entities including states, municipalities, public water providers, school boards, and other governmental subdivisions to recover costs of remediation, treatment, disposal, and damages for loss of property, natural resources, and other losses.

Extensive experience litigating complex cases involving multiple legal theories and/or various states' laws in suits against numerous defendants. In the MTBE litigation, stated various causes of action under approximately twenty states' laws against over 20 national oil refiners. Regularly litigates against large, multinational corporations including ExxonMobil, Syngenta, Monsanto, Dow, and DuPont.

Proficiency with briefing and arguing substantive motions in litigation concerning various chemicals including PCBs, MTBE, atrazine, PFAS, TCE, PCE, 1,2,3-TCP, and others.

Develops cutting-edge legal arguments supporting imposing liability under theories of nuisance, negligence, products liability, and various environmental statutes in environmental cases.

PROFESSIONAL EXPERIENCE

Baron & Budd, P.C.

Shareholder, Environmental Litigation Group, 2008-present

Associate, Water Contamination Practice Group, 2004-2007

Associate, Appellate Department, 2000-2004

Contract Writer, Appellate Department 1999-2000

Southern Methodist University School of Law

Adjunct Clinical Instructor, Civil Clinic, 2001-02

Law Office of Frank L. Branson

Law Clerk, 1997-98

EDUCATION

Southern Methodist University (J.D. 1999; M.A. 1994; B.A. 1991)

BAR & COURT ADMISSIONS

State of Texas
State of New York
State of Washington
United States Court of Appeals for the Fifth Circuit
Supreme Court of the United States of America

PROFESSIONAL AWARDS & ASSOCIATIONS

Top 10 Environmental Trial Lawyers (National Trial Lawyers, 2020)
Top 25 Products Liability Trial Lawyers (National Trial Lawyers, 2020)
Top 25 National Women Trial Lawyers (National Trial Lawyers, 2020)
Top 100 Civil Plaintiff Trial Lawyers (National Trial Lawyers 2016, 2017, 2018, 2019)
Burton Award for “Poisoning the Well,” Trial Magazine (August 2016)
Finalist, Public Justice Trial Lawyer of the Year Award, 2013
Finalist, Public Justice Trial Lawyer of the Year Award, 2009
Law & Politics Media’s List of “*Texas Rising Stars*,” 2006

REPRESENTATIVE REPORTED CASES

Rhode Island v. Atlantic Richfield Co., 357 F.Supp.3d 129 (D.R.I. 2018)
City of Long Beach v. Monsanto Co., 2018 WL 4846657 (C.D.Cal. 2018)
City of Hartford v. Monsanto Co., 2017 WL 3085682 (D.Conn. 2017)
State of Washington v. Monsanto Co., 274 F.Supp.3d 1125 (W.D.Wa. 2017)
City of San Diego v. Monsanto Co., 2017 WL 5632052, at *11 (S.D.Cal. 2017)
City of Portland v. Monsanto Co., 2017 WL 4236583 (D.Or. Sept. 22 2017) (slip opinion)
Port of Portland v. Monsanto Co., 2017 WL 4236561 (D.Or. Sept. 22 2017) (slip opinion)
City of San Jose v. Monsanto Co., 231 F.Supp.3d 357 (N.D.Cal. 2017)
City of Seattle v. Monsanto Co., 237 F.Supp.3d 1096, 1100 (W.D.Wa. 2017)
City of Spokane v. Monsanto Co., 2016 WL 6275164 (E.D.Wa. 2016)
State v. Atlantic Richfield Co., 2016 VT 61, ¶ 1, 2016 WL 3031662 (Vt. 2016)
Trujillo v. Ametek, Inc., 2015 WL 7313408 (S.D.Cal. 2015)
Greenfield MHP Associates, L.P. v. Ametek, Inc., 145 F.Supp.3d 1000, 1003 (S.D.Cal. 2015)

Town of Westport v. Monsanto Co., 2015 WL 1321466 (D.Mass. 2015) (slip opinion)

Suffolk County Water Authority v. Dow Chemical Co., 121 A.D.3d 50 (N.Y.A.D. 2 Dept. 2014)

City of Greenville v. Syngenta Crop Protection, Inc., 904 F.Supp.2d 902, 903 (S.D.Ill. 2012)

Emerald Coast Utils. Auth. v. 3M Co., 746 F.Supp.2d 1216 (N.D.Fla. 2010)

Nelson v. Exxon Mobil Corp., 102 Cal.Rptr.3d 311 (Cal.App. 3 Dist. Nov 20, 2009)

In re Methyl Tertiary Butyl Ether (“MTBE”) Products Liability Litigation, (S.D.N.Y. 2006) (numerous opinions). *See, e.g.*, 457 F.Supp.2d 324 (S.D.N.Y. Jun 23, 2006), 438 F.Supp.2d 291 (S.D.N.Y. Jun 23, 2006), 415 F.Supp.2d 261 (S.D.N.Y. Nov 09, 2005), 2005 WL 39918 (S.D.N.Y. Jan 06, 2005)

Lawson v. Dallas Co., 286 F.3d 257 (5th Cir. 2002)

Caudillo ex rel. Caudillo v. Lubbock Independent School Dist., 331 F.Supp.2d 550 (N.D.Tex. 2004)

Norfolk Southern Railway Co. v. Bailey, 92 S.W. 3d 577 (Tex.App.– Austin 2002)

PRESENTATIONS

Panelist, “Water Contamination,” Harris Martin MDL Conference: The Significance of Proposed Rule Changes in MDL Procedures & Valsartan Agenda, 2019.

Speaker, “How to Deal with Other Contaminants in Drinking Water,” Harris Martin Water Contamination Litigation Conference, 2018.

Panelist, “Best Legal Claims and Defenses,” Harris Martin Lumber Liquidators Flooring Litigation Conference, May 27, 2015.

Panelist, “Scientific Evidence in Environmental and Toxic Torts Litigation,” Mason Judicial Education Program Conference on Environmental Economics, Law, and Litigation, November 19, 2013.

Panelist, “Scientific Evidence in Environmental and Toxic Torts Litigation,” Mason Judicial Education Program Conference on Environmental Economics, Law, and Litigation, March 2, 2013.

Panelist, “Setting the Bar for ‘Injury’ in Environmental Exposure Cases: How Low Can It Go?” Environmental Law Institute Seminar, 2012

Panelist, “Emerging Issues Regarding Toxins Affecting Water,” American Association for Justice Annual Convention, 2010

Speaker, “Water Contamination: What Lies Beneath,” Harris Martin Oil Spill Litigation Conference, 2010

Speaker, Mealey’s MTBE Litigation Conference, 2007

Speaker, Mealey’s MTBE Litigation Conference, 2006

Panelist, “Are There Synergistic Effects Between Toxic Tort Suits and Environmental Regulations?” Environmental Law Institute, 2006

Speaker, “Update on MTBE Litigation,” Energy Litigation Conference, 2005

Co- Presenter, “Premises Liability Cases: What Does the Future Hold?” Andrews Asbestos Litigation Conference, 2003

Co- Presenter, “Texas Supreme Court Update,” Dallas Court of Appeals Seminar, 2000

PUBLICATIONS

Co-Author, “Toxic Torts and Mass Torts,” 57 SMU Law Review 1267 (2004)

Contributor, “Toxic Torts and Mass Torts,” 56 SMU Law Review 2053 (2003)

Contributor, “Toxic Torts and Mass Torts,” 55 SMU Law Review 1375 (2002)

Co-Author, “Applying Texas Premises Liability Law to Asbestos Cases,” COLUMNS, September 2001

Not certified by the Texas Board of Legal Specialization