

ENVIRONMENTAL & TOXIC TORTS

Experience counts when defending environmental/toxic tort litigation. Lightfoot has it.

Environmental and toxic tort cases are complex, bet-the-company matters that involve significant financial and reputational risk. As a result, it is crucial for clients to have experienced trial lawyers in their corners. We have served as lead trial counsel in some of the region's most high-profile cases. That's why leading manufacturers and others companies turn to Lightfoot for these matters. From single-plaintiff toxic tort cases, to class actions and mass joinders involving thousands of claimants, there is no matter our lawyers can't handle.

With the depth to manage all aspects of complex environmental and toxic tort litigation, Lightfoot covers all the day-to-day demands of these cases at the local, regional and national level. Focused on the details, we run our cases efficiently and give full attention to their many moving parts. Whether it is managing complex document discovery, taking expert depositions or presenting the case to a jury, we have the experience and resources to handle any environmental or toxic tort matter.

Lightfoot lawyers have the knowledge and ability to tackle the toughest scientific and technical issues. We have worked closely with many of the country's leading medical, scientific and technical experts in defending such claims.

We also assist clients in a variety of compliance matters and enforcement actions involving state and federal agencies, including matters involving the following regulations:

- Resource Conservation and Recovery Act (RCRA)
- Comprehensive Environmental Response, Compensation and Liability Act (CERCLA)
- Federal Insecticide, Fungicide and Rodenticide Act (FIFRA)
- Toxic Substances Control Act (TSCA)
- Clean Water Act (CWA)
- Clean Air Act (CAA)

In addition, Lightfoot tries CERCLA cost-recovery actions and natural-resource damage claims. We also assist clients with environmental permitting and compliance work. Lightfoot attorneys also have extensive experience in challenging actions taken by federal agencies under the Administrative Procedure Act (APA) and the National Environmental Policy Act (NEPA).

EXPERIENCE

- Winning an uphill battle for a chemical manufacturer in a common issues mass tort action.
- Serving as national counsel in a series of cases around the country relating to alleged contamination from the wood-treating industry.
- Representing several oil companies in some of the largest cases in the nation involving underground storage tank litigation.
- Representing manufacturers in mass tort actions alleging injuries from exposure to various chemicals, including isocyanates, formaldehyde, creosote, dioxin and metalworking fluids.
- Representing clients in offshore contamination cases.

- Representing manufacturers in major PFC contamination cases in multiple states.
- Representing municipalities in actions to remedy contamination that occurred over time.
- Representing a number of manufacturers against claims of community contamination.
- Representing numerous clients in asbestos cases alleging that exposure to various products, including friction products, gaskets, packing and external insulation, caused mesothelioma and other malignancies. We won numerous cases on summary judgment and successfully defended the results on appeal to the Alabama Supreme Court.
- Representing the state of Alabama in a case to block appropriation of water rights by the state of Georgia. This involved handling the water rights negotiations with the U.S. Army Corps of Engineers and the states of Georgia and Florida for more than 15 years. It also involved working closely with Alabama's Department of Economic and Community Affairs, Department of Environmental Management, governor's office and attorney general's office.
- Representing a number of manufacturers in the paper industry in a series of claims alleging dioxin contamination of major Alabama waterways. This involved individual litigation as well as major class action claims.
- Representing a major pigment manufacturer in a series of air contamination cases in Mississippi and handling many other claims of air contamination.
- Handling many cases involving alleged pesticide contamination in Alabama and other southeastern states for more than one manufacturer. Claims have ranged from crop damage and home exposure to a massive fish kill in an Alabama reservoir related to an insecticide release.
- Representing clients in a variety of enforcement and grand jury proceedings brought by federal and state law enforcement officials involving alleged environmental crimes.
- Handling numerous mass tort environmental litigation across the country involving underground contamination in the petroleum, wood-treating, equipment manufacturing and fertilizer industries.
- Representing a group of potentially responsible parties in a CERCLA cost-recovery action involving an abandoned lead-smelting facility that was on the National Priorities List.
- Representing the defendants in a series of toxic tort cases involving PCB contamination in Anniston, Alabama, that spawned two different downstream lake class actions and numerous consolidated mass tort actions, resulting in the largest and longest-running trial in Alabama history. That trial involved more than 3,500 plaintiffs, many claiming both personal injury and property damage. The case went before the Alabama Supreme Court on three separate occasions before and during trial. The jury trial lasted more than 19 months in the Circuit Court of Calhoun County. More than 500 separate verdicts were returned during the course of the trial, which included jury and non-jury claims.
- Representing several textile manufacturers in environmental litigation involving manufacturing plant discharges of treated wastewater.
- Representing municipalities in environmental permitting and compliance matters involving wastewater treatment systems and solid-waste management facilities.
- Representing two textile manufacturers who were hit with a \$52 million verdict in a waterway contamination matter. After extensive post-trial proceedings and two appeals to the Alabama Supreme Court, the judgement was reversed and rendered in favor of the defendants.
- The first firm in the country to try a Benlate fungicide case to a defense verdict.