

## Environmental Enforcement Defense & Litigation

Resolving environmental disputes requires substantive knowledge and skill, collaboration, and creative thinking. That is the foundation on which Michael Best has built an impressive record representing clients in administrative and judicial enforcement proceedings, citizen suits, cost recovery actions, and other environmental litigation.

Because environmental lawsuits can be messy and expensive, we aggressively implement mediation and other strategies for pre-litigation resolution whenever feasible. If and when litigation must proceed, we have a deep bench of first-chair trial lawyers who are skilled in managing cases cost-effectively and getting good results.

In the courtroom and at the negotiating table, we work closely with client decision makers, technical staff, and outside consultants to find the best path to achieve each client's goals. Valuable perspective is provided by our environmental attorneys who previously served in public sector positions overseeing rules promulgation, such as senior positions in regulatory agencies.

### Experience

We represent clients in environmental disputes involving a wide variety of statutes and regulatory programs, including:

- Enforcement actions by state or federal environmental agencies alleging regulatory violations in any of the major program areas (air, water, solid waste, hazardous waste, wetland, and stormwater)
- "Takings" and other alleged violations of the Endangered Species Act
- Defense of citizen suits and claims for injunctive relief brought under the Clean Air Act, Resource Conservation and Recovery Act (RCRA), Clean Water Act, or other federal law
- Defense of class action toxic tort cases
- Contaminated site litigation under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) seeking response costs, contribution, and natural resource damages
- State court actions seeking relief under common-law theories of contribution, negligence, nuisance, trespass, and strict liability for ultrahazardous activities