

# Aaron G. Gershonowitz, Esq.

Forchelli Deegan Terrana LLP



Aaron G. Gershonowitz joined the Firm in 1996 and concentrates his practice in environmental law. He has been working in private practice in Manhattan and Long Island law firms, where he has represented clients in a wide variety of environmental issues—including Superfund matters, RCRA compliance, underground storage tank issues, asbestos in buildings, and the environmental aspects of real estate and corporate transactions. Additionally, Mr. Gershonowitz's practice includes the representation of military contractors with regard to closure of facilities, transfer of facilities, and the related negotiations with the United States Government and other local governmental agencies. He has also served as in-house environmental counsel for the Northrop Grumman Corporation.

Mr. Gershonowitz has been a teaching fellow at the University of Chicago Law School and a full-time faculty member at Western New England Law School. He has lectured on environmental legal issues and has been published in various publications in the legal community. He is the author of a chapter in West's Environmental Law and Regulation in New York, has published several articles in the New York Law Journal, New York Real Estate Journal, and has published in scholarly journals such as the Duke Environmental Law and Policy Quarterly, Environ (University of California environmental law and policy journal), University of South Carolina Law Review and University of Baltimore Law Review. He is a member of the Editorial Advisory Board of the Environmental Claims Journal and an adjunct faculty member at St. Francis Law School and the University of Phoenix Graduate School of Business.



# Alita J. Giuda, Esq.

Couch White, LLP



## EDUCATION

Colgate University, B.A., 2002, magna cum laude; Albany Law School of Union University, J.D., 2006

Alita regularly represents various industrial and commercial clients in all facets of environmental law, zoning and land use issues, related administrative and judicial proceedings, and commercial litigation. She is highly experienced in developing strategies to ensure a timely and thorough environmental, land use and/or permitting process occurs that will both comply with law and provide the client a defensible record. She has also represented a number of clients on contamination issues, including remediation pursuant to federal and state remedial programs. She has advised clients regarding a number of complex environmental statutes, such as the Clean Air and Clean Water Act. She is also an experienced litigator who has researched and drafted numerous injunctions, complaints, motions and other documents, in addition to overseeing complex litigation in a variety of practice areas, including breach of contract, construction defect, commercial landlord and tenant, eminent domain, trade name protection and real property.



# Andrew O. Guglielmi, Esq.

## NYSDEC

Andrew O. Guglielmi is an Associate Attorney in the Office of General Counsel (OGC) of the N.Y.S. Department of Environmental Conservation (DEC). He is currently a Section Chief in OGC's Bureau of Remediation. Mr. Guglielmi supervises a team of attorneys, an economist, an environmental program specialist, and a legal assistant, which is responsible for providing legal assistance to the DEC's remedial programs, including the Brownfield Cleanup Program (BCP), the State Superfund Program, the Environmental Restoration Program, and the RCRA Corrective Action Program. Mr. Guglielmi is also responsible for pursuing cost recovery actions and actions related to Natural Resource Damages (NRD) matters for DEC. Mr. Guglielmi received JD, *magna cum laude*, with a concentration in environmental law, from the State University of New York at Buffalo Law School in 2006. Mr. Guglielmi has been with the DEC since December of 2007.



# Amy K. Kendall, Esq.

Knauf Shaw LLP



Ms. Kendall focuses her practice on environmental, land use and real estate law, and civil litigation. She has over 16 years of experience in federal and state environmental litigation, including administrative hearings. She is also regularly involved in permitting and other federal and state agency proceedings, regulatory compliance, review and commenting on environmental laws and regulations, and real estate matters, including the negotiation of utility easements for wind power. Her litigation experience has ranged from criminal trials to briefing for the United States Supreme Court and five Circuit Courts of Appeals.

While Ms. Kendall is involved in all areas of environmental law, much of her law practice has focused on water-related issues, including permitting and compliance issues for facilities, and construction in wetlands. She has been heavily involved in prosecuting and defending civil litigation under the Clean Water Act. Ms. Kendall also handles matters involving title to and permitting for work on underwater lands, as well as riparian and littoral rights. She served as co-counsel for Dryden Resources Awareness Coalition in *Norse Energy Corp. USA v. Town of Dryden*, 108 A.D.3d 25, 964 N.Y.S.2d 714 (3d Dep't 2013), the first lawsuit in New York involving a town's right to zone out high-volume hydraulic fracturing in the Marcellus Shale.

Ms. Kendall is the current Chair of the Genesee Finger Lakes Chapter of the Air & Waste Management Association, and past Chair of the Environmental Law Committee of the Monroe County Bar Association. She is also Co-Chair of the Coastal and Wetlands Resources Committee for the New York State Bar Association and teaches Environmental Law at Rochester Institute of Technology. Ms. Kendall earned her J.D. from the University at Buffalo Law School, and a M.S. in Environmental Health and Safety Management from Rochester Institute of Technology.





# Alan J. Knauf, Esq.

Knauf Shaw LLP



Alan J. Knauf concentrates his law practice in environmental, municipal, land use and real estate law, and civil litigation and appeals. He represents businesses, developers, municipalities, landowners and citizens on issues including hazardous waste and petroleum spill cleanup, brownfield development, environmental impact review, water pollution and wetlands, zoning and planning, project siting, alternative energy, municipal law, and commercial real estate. Mr. Knauf is attorney for the Town of Huron in Wayne County, New York. He is designated by Best Lawyers® as the Environmental Litigation “Lawyer of the Year” for 2018 in Rochester, NY (his fourth “Lawyer of the Year” designation). Mr. Knauf is listed in *Best Lawyers in America*® for Environmental Litigation, Land Use and Zoning Law, and Land Use and Zoning Litigation. He is also listed with Super Lawyers in the areas of Environmental Law, Environmental Litigation, Land Use and Zoning Law and Real Estate Law.

Mr. Knauf has been counsel on over 150 reported decisions. Some of the notable precedents he helped establish include:

*Lighthouse Pointe Property Associates LLC v. New York State Department of Environmental Conservation*, 14 N.Y.3d 161, 897 N.Y.S.2d 693 (2010), where the Court of Appeals overruled DEC's interpretation of the definition of "brownfield site," allowing contaminated sites to enter the Brownfield Cleanup Program, and opening up the program to voluntary remediation of sites across the state.

*Norse Energy Corp. USA v. Town of Dryden*, 108 A.D.3d 25, 964 N.Y.S.2d 714 (3d Dep't 2013), *aff'd* 23 N.Y.3d 728, 992 N.Y.S.2d 710 (2010) where he represented Dryden Resources Awareness Coalition, and the Third Department upheld local zoning legislation banning hydrofracking.

*Concerned Area Residents of the Environment v. Southview Farm*, 34 F.3d 114 (2d Cir. 1994), *cert den'd* 514 U.S. 1082, 115 S.Ct. 1793 (1995), establishing that concentrated animal feeding operations required permits for manure discharges under the Clean Water Act, resulting in widespread implementation of comprehensive nutrient management plans at farms across America, and reduced water pollution.

*Snyder v. Newcomb*, 194 A.D.2d 53, 603 N.Y.S.2d 1010 (4th Dep't 1993), which established a private right of action to bring a direct action against the insurer of a petroleum discharger under the New York Oil Spill Act.

Mr. Knauf is a former Chair of the Environmental Law Section of the New York State Bar Association, Co-Chair of the Committee on Land Use and Environment of the Real Property Law Section of the New York State Bar Association, and a member of the Section on Environment, Energy and Resources of the American Bar Association. He was founding Chairperson of the Environmental Law Committee of the Monroe County Bar Association. He has also served as Chairman of the Real Estate Council of the Monroe County Bar Association, and Chairman of the Center for Environmental Information, Inc. Mr. Knauf has taught Environmental Law at the Rochester Institute of Technology and the University of Rochester, and is a frequent lecturer at continuing education programs.

Mr. Knauf received a B.S.C.E. in Environmental Engineering from M.I.T. and a J.D. from the University of Michigan, where he was the President of the Law School Student Senate. He is admitted to the bars of New York, Florida, the U.S. Supreme Court, and various other federal courts.

# Greta K. Kolcon, Esq.

Woods Oviatt Gilman LLP



Greta K. Kolcon is a Partner in the firm's Litigation Department. She chairs the Environmental Law & Litigation Practice Group. Ms. Kolcon is a certified federal court mediator, and serves on the neutral panel for the United States District Court for the Western District of New York. She focuses on efficient and effective risk management and dispute resolution.

## **Education**

Stetson University College of Law, J.D., *cum laude*

University of Michigan, B.A., with honors

## **Bar Admissions**

State of New York

United States Court of Appeals for the Second Circuit

United States District Court for the Northern, Eastern, Southern and Western Districts of New York

## **Key Representative Matters**

- Regularly defend energy company in litigation involving claims of environmental contamination under New York's Navigation Law, as well as RCRA and other claims.
- Regularly defend residential landlords against claims of lead paint poisoning allegedly suffered by tenants and others.
- Regularly defend employment discrimination claims and other workplace-related claims against employers.
- Defend and prosecute claims against fiduciaries of employee retirement plans, such as trustees and investment managers.
- Litigate enforcement of shareholder agreements in connection with buyouts and separations from business enterprise.



# Professor Katrina Fischer Kuh

Elisabeth Haub School of Law  
Pace University



Katrina Fischer Kuh joined the Elisabeth Haub School of Law faculty as the Haub Distinguished Professor of Environmental Law in 2017. She was previously on the faculty at the Maurice A. Deane School of Law at Hofstra University, where she was a Professor of Law and served as an Associate Dean of Intellectual Life. Professor Kuh's scholarship focuses on climate change and sustainability and she has taught Environmental Law, International Environmental Law, Global Climate Change and U.S. Law, Administrative Law and Torts. She is the co-editor of *The Law of Adaptation to Climate Change: United States and International Aspects* and Co-Chair of the International Bar Association Working Group on the Legal Aspects of Climate Change Adaptation.

Before entering academia, Professor Kuh worked in the environmental and litigation practice groups in the New York office of Arnold & Porter LLP and served as an advisor on natural resource policy in the United States Senate. She received her undergraduate and law degrees from Yale and served as a law clerk to Judge Charles S. Haight of the District Court for the Southern District of New York and Judge Diana Gribbon Motz of the U.S. Court of Appeals for the Fourth Circuit.



# Sarah M. Lobe, Esq.

The Zoghlin Group

Sarah M. Lobe, Esq. has experience as a lawyer, law professor, and advocate with a focus on environment-related issues. Her background includes a Master's in public policy and fieldwork on access to water in New York City, China, Argentina, and India. As part of her pro bono service, she analyzed legal issues in water pipeline implementation for the Navajo Nation. She has helped hold businesses and governments accountable for environmental harms while working for the U.S. federal government and the U.N. Special Rapporteur on the Right to Food. Currently, she is an attorney at The Zoghlin Group where she works on environmental litigation and energy matters, including cases in the Article 10 process for large-scale renewable energy.





# Maggie Macdonald, Esq.

Sive, Paget & Riesel P.C.



Maggie focuses her practice on environmental litigation, environmental impact review, and land use issues. Since joining the firm in 2011 she has worked on brownfields and (E) designation submissions for sites in New York City, storm water pollution prevention, and landlord-tenant disputes. Maggie's work also involves enforcement under federal environmental laws including the Comprehensive Environmental Response, Compensation, and Liability Act, the Resource Conservation and Recovery Act, the National Historic Preservation Act, the Clean Air Act and the Clean Water Act. Maggie has extensive E-discovery experience and has attended conferences on cutting edge technologies in the field of E-Discovery and electronic document review. In addition, Maggie works with recycler and consumer clients dealing with electronics recycling and she is engaged with the developing area of electronics recycling law and regulations in New York State.

Prior to joining the firm, Maggie interned at the New York State Department of Environmental Conservation in Region 2, where she focused on tidal wetlands enforcement. Maggie also participated in the Natural Resources Defense Council clinical program, working on issues relating to water conservation. During law school she was an Executive Editor of the New York University Environmental Law Journal and Chair of the Environmental Law Society and Co-Chair of the Open Meditation and Yoga Society.



# Edward McTiernan, Esq.

Arnold & Porter Kaye Scholer LLP



Edward McTiernan is an environmental litigator who focuses on state and federal regulatory issues including site remediation, brownfield redevelopment, natural resource damages, energy and infrastructure transactions, and environmental permitting aspects of real estate development.

In 2011, Mr. McTiernan was appointed to the New York State Department of Environmental Conservation by Governor Andrew Cuomo where he served as Deputy Commissioner and General Counsel. In that capacity, he was responsible for enforcement, rulemaking, and major policy initiatives including the review and permitting of transportation infrastructure and energy projects, as well as citizen action suits, CERCLA cost recovery claims and permit proceedings. He supervised a team of 90 attorneys and 30 support staff in nine offices, and coordinated with federal agencies and national environmental advocacy groups on a number of controversial projects. In addition, he directly supervised the state's docket of environmental litigation, enforcement proceedings, and policy initiatives.

Prior to his public service, Mr. McTiernan was in private practice for more than two decades. He also served as a team leader for a New York/New Jersey regional law firm's environmental practice where he represented Fortune 100 corporations and multi-nationals in state and federal court.



# Bridget O'Toole, Esq.

The Zoghlin Group PLLC  
Buffalo Chair



Bridget is a Senior Associate Attorney with the Zoghlin Group. She focuses primarily on environmental and land use litigation: representing individuals, businesses and community groups in New York State and Federal Courts and before various municipal boards. Bridget's experience also includes appellate practice.

Bridget is admitted to practice in New York, the United States District Courts of the Western and Northern Districts of New York and the United States Court of Appeals for the Second Circuit.

A Rochester native, Bridget obtained her juris doctorate from Albany Law School and holds a bachelor of arts in History from the State University of New York, University at Albany. She is also an alumnae of Nazareth Academy.

Outside of the office, Bridget volunteers with the Rochester Teen Court as an attorney mediator. In 2016, she was recognized by the Daily Record as an Up & Coming Attorney.



# Dena N. Putnick, Esq.

## NYS Department of Environmental Conservation

Mrs. Putnick is the Bureau Chief of the General Enforcement Bureau at the New York State Department of Environmental Conservation. She has worked for the Department for 10 years in different bureaus, including the Corporate Bureau, Remediation Bureau and the Bureau of General Enforcement. After years of working as a County Attorney in Western New York and as a Social Services Attorney, prosecuting abuse and neglect matter in County Court, she joined the NYS Department of Environmental Conservation as the FOIL Appeals Officer issuing decisions on agency records. After a few years, Mrs. Putnick moved on to be program counsel for the Bureau of Remediation and concentrated on Remedial Sites, Manufactured Gas Plant Sites and Brownfield cleanups. In 2015 she was promoted to Associate Counsel to manage the Central Office Bureau of General Enforcement. Managing six attorneys, assisting Regional counsel and overseeing all enforcement related matters of the Department, Mrs. Putnick still has time to train, lecture and present on matters of agency enforcement, evidence presentation and hearings. She received a B.A. from West Chester University, West Chester, PA (2000) and a J.D. from Widener University School of Law, Harrisburg, PA (2004).





# Amy L. Reichhart, Esq.

Nixon Peabody LLP



Amy Reichhart is a senior associate in the Energy and Environmental practice group. She represents clients in environmental regulatory and enforcement matters, site investigation and remediation, brownfields redevelopment and all phases of litigation. She is experienced in handling administrative matters before state agencies as well as litigation in both state and federal courts.

What do you focus on?

Today I focus my practice on environmental cost recovery litigation, brownfield transactions, municipal law, and land use litigation. I am able to oversee the cleanup of contaminated property from investigation, through remediation, to site closure. I am also fully versed in all aspects of approvals for development and renewable energy projects, including compliance with the New York State Environmental Quality Review Act and local permitting requirements.

What do you see on the horizon?

I see the need to upgrade existing, and develop new, infrastructure projects (including those for traditional and renewable energy as well as water resources) as an issue that will have far reaching impacts across industries. Whether there is a desire to construct and/or operate such upgrades, and/or simply connect to them, the legal and technical challenges will be felt by all. Along these same lines, managing the inevitably more stringent regulation of energy and water use, greenhouse gas emissions and the use of various chemicals will be a key driver to the economic success of most businesses.

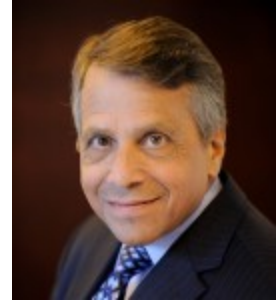
## Publications

- “The Environmental Aspects of Equipment Leasing,” *Equipment Leasing*, Matthew Bender, 2015 (Co-author)
- “The Environmental Aspects of Equipment Leasing,” *Equipment Leasing*, Matthew Bender, 2007 (Co-author)



# James Rigano, Esq.

Rigano LLC



James Rigano has concentrated his practice exclusively in environmental law for more than two decades.

Mr. Rigano has served in the Enforcement Division of the United States Environmental Protection Agency, where he was involved in a variety of water pollution control programs and was environmental counsel to the New York Power Authority.

He has extensive experience in subsurface contamination and solid waste issues and has represented clients in numerous matters before environmental regulatory agencies. He has negotiated the environmental issues in numerous transactions and has handled a broad range of cases involving wetlands, open space, and air pollution issues, and has litigated cost recovery actions. Mr. Rigano has had extensive experience with subsurface soil gas issues.

Mr. Rigano has extensive experience with environmental issues in brownfield development projects. He has negotiated technical and environmental issues and has addressed a host of complex regulatory concerns in the redevelopment of contaminated property. Mr. Rigano was environmental counsel for the New York Power Authority where he was involved in the permitting and environmental issues associated with hydroelectric facilities and major transmission lines.

Prior to practicing law, Mr. Rigano was employed for five years as an environmental scientist conducting research on the environmental effects of electric power generation.

Mr. Rigano has authored more than 40 articles and has lectured extensively on a variety of environmental insurance coverage topics. He has also chaired more than 20 environmental conferences. He is actively involved in civic, business and bar association organizations.

Long Island Business News has featured him in their "Who's Who in the Law" edition. Mr. Rigano is the chair of the Environmental and Energy Task Force for Action Long Island and co-chairs the Continuing Legal Education Committee of the Environmental Section of the New York State Bar Association. He serves on the Board of the Nassau County Boy Scouts, the Association for a Better Long Island, and St. Paul's Greek Orthodox Church.

Mr. Rigano received his Juris Doctor from Hofstra University School of law in 1982. He also holds a Master of Science degree in Biology from New York University and a Bachelor's degree in Marine and Environmental Science from Adelphi University.



# Kenneth L. Robinson, Esq.

Robinson & Associates, P.C.



Kenneth L. Robinson emphasizes practice in environmental, insurance, commercial litigation, real estate and public policy law.

Mr. Robinson received his law degree from Northeastern University in 1978 and his Masters of Science from New York University in 1982. Formerly an Assistant Attorney General handling energy and environmental issues for the State of New York, Mr. Robinson was also a partner at Levine & Robinson, P.C. and General Counsel to Tartan Corp., where he specialized in environmental, insurance and general commercial litigation. He has chaired the Environmental Law Committee of the Nassau County Bar Association and is currently Chairperson of the Nassau County Water Resources Board and Vice President of the Syosset Chamber of Commerce. He has published articles in the New York Law Journal, the Queens Lawyer and the Rhodes Real Estate Review.



# Thomas J. Ruane, Esq.

Whiteman Osterman & Hanna LLP



Thomas J. Ruane joined Whiteman Osterman & Hanna LLP in September of 2014. Mr. Ruane was previously a summer associate with the Firm. Prior to joining the Firm, Mr. Ruane was a summer intern for the New York State Office of the Attorney General in the Environmental Protection Bureau in New York, N.Y., a legal extern for the Honorable Magistrate Judge Lois Bloom in the District Court for the Eastern District of New York, and a law clerk for the Feller Energy Law Group in Brooklyn, N.Y. Additionally, Mr. Ruane was a legal intern at the *Pace Environmental Litigation Clinic*, volunteered for the *Mortgage Foreclosure & Predatory Lending Litigation Defense Project* and the *Pace Land Use Law Center*, both in White Plains, N.Y. Mr. Ruane also worked at TRC Companies as an Energy Analyst and Case Manager.





# Steven C. Russo, Esq.

Greenberg Traurig LLP



Steven C. Russo chairs the firm's New York Environmental Practice. He focuses his practice on environmental law and litigation, environmental permitting, National Environmental Policy Act (NEPA), State Environmental Quality Review Act (SEQRA) review, toxic tort litigation, environmental crimes, Brownfields redevelopment, government, energy and the environmental aspects of land use and real estate law. Steven is equally experienced litigating in federal and state courts, as well as counseling his clients with regard to environmental liability risk and due diligence, permitting, Brownfields, and impact assessment and review. He also practices election and campaign finance law.

Prior to joining the firm, Steven was the Chief Legal Officer of the New York State Department of Environmental Conservation. There, he supervised approximately 90 attorneys in Albany, as well as the agency's nine regional offices. He also supervised the agency's legislative affairs department and Office of Environmental Justice. At the agency, Steven initiated a reform of the state's environmental review regulations and assessment forms, completed the issuance of new power plant siting regulations pertaining to environmental justice and carbon emissions and revised the agency's environmental audit policy.

Steven also serves as election law counsel to a number of New York State and federal campaigns and political parties.



# Lawrence Schnapf, Esq.

Schnapf Law LLC



Lawrence P. Schnapf is an environmental attorney based in New York City and New Jersey with over 30 years of national environmental transactional experience and is the principal of Schnapf LLC. With this background and his geology training, Larry is uniquely qualified to handle the legal and technical issues commonly encountered with environmental issues.

Larry primarily concentrates on environmental risks associated with corporate, real estate and brownfield transactions; commercial financing including asset-based lending, syndicated loans, mezzanine loans and distressed debt; bankruptcy, workouts and corporate restructuring. He has extensive experience with brownfield redevelopment and financing, including representing affordable housing developers and assisting local development corporations or not-for-profit organizations with their brownfield planning programs. Larry also counsels clients on environmental, represents clients in federal and state environmental litigation, enforcement actions, administrative proceedings and private cost recovery actions. He has also served as liaison counsel for PRP steering committees.

He has also written numerous articles on environmental law, is the general editor/contributing author of **“Environmental Issues in Business Transactions”** published by the Business Law Section of the ABA and is also the author of **“Managing Environmental Liability in Transactions and Brownfield Redevelopment”** published by JurisLaw Publishing. He is also contributing author for several chapters of **“Brownfield Practice and Law: The Cleanup and Redevelopment of Contaminated Properties”** published by Matthew Bender and the Matthew Bender **“Environmental Law Practice Guide”**.

Larry is the Chair of the Environmental Law Section of the New York State Bar Association (NYSBA), co-chair of the NYSBA brownfield task force and served as the co-chair of the NYSBA Hazardous Site Remediation Committee from 1995 until January 2015 he became an officer of the NYSBA Environmental Law Section. Larry is also on the advisory board of the New York City Brownfield Partnership and served as the chair of the Brownfield Field Task Force of the Environmental Business Association of New York (EBA/NYS) from 2002 until EBA/NYS became inactive in 2009.

*He* is a past Chair of the ABA Section of Business Law Committee on Environmental, Energy and Natural Resources Law. He is also a member of the board of BNA's Environmental Due Diligence Guide and a member of the Society of Environmental Journalists.

Larry has also served on a number of ASTM Task Groups, including Chair of the legal subcommittee for the ASTM E1527 task force for the 2013 revisions to ASTM E1527 phase 1 standard and was Co-Chair of the legal sub-committee for the ASTM Vapor Intrusion Task Group.

Larry is an adjunct professor of environmental law at New York Law School and a faculty member of the NYLS Center for Real Estate Studies where he teaches "Environmental Issues in Business Transactions", "Environmental Law and Policy" and a mini-course on brownfields. He is also on the faculty of the Center for Christian Studies at Fifth Avenue Presbyterian Church where he teaches "The Bible and the Environment."

He is listed in the New York Super Lawyers-Metro Edition (2010-2015; the Super Lawyers Business Edition (2011-15); The International Who's Who of Environmental Lawyers (2008-2015) as well as appearing in Chambers USA Client Guide of America's Leading Lawyers for Business. Larry has received the AV® Preeminent Rating from Martindale-Hubbell, the highest possible Peer Review Rating

# Linda R. Shaw, Esq.

Knauf Shaw LLP



Linda Shaw concentrates her law practice in environmental, land use and municipal transactional law, and civil litigation and appeals. She represents developers, municipalities, property purchasers and businesses in matters involving the New York State Department of Environmental Conservation (DEC), brownfield or contaminated real estate, petroleum spills, zoning matters, environmental impact statements, green industrial, alternative energy, and general project development work.

Ms. Shaw established Knauf Shaw with partner Alan Knauf in 1998. Seven years before that she commenced her legal career at Harris Beach PLLC, the New York Power Authority and City of New York Corporation Counsel's office. Her seven years in the public sector for the City of New York in the Department of Sanitation and the Mayor's office of Operations has also provided her with the experience to navigate government processes to obtain the most rapid approvals. The focus of Ms. Shaw's practice on the redevelopment of brownfield property has resulted in a number of significant projects being constructed on formerly contaminated real estate including projects such as The Shops at Atlas Park in Glendale, Queens, Silver Towers on 41<sup>st</sup> Street, Clinton Green on 52-53<sup>rd</sup> Street in Manhattan, Erie Harbor on the Genesee River in Rochester, the Ritz Carlton in White Plains and many others still in progress from Suffolk County on Long Island, up the Thruway to Yonkers and Albany, and over to Niagara Falls, New York. Her statewide practice has provided her with experience in each DEC region of New York State.

In addition to advising clients on how to remediate contaminated real estate, Ms. Shaw advises clients on how to obtain permits and approvals for green industrial/alternative energy, commercial and residential development projects, and obtain associated land use and zoning decisions, and to prepare environmental review studies, to cut down on the upfront time associated with construction projects on New York contaminated land, and brings cost recovery litigation where appropriate. The experience Ms. Shaw has gained during her more than 20 year legal career, and prior public sector experience, has provided her with the tools necessary to counsel a wide variety of clients through every type of

environmental and land use legal issue. She is recognized as perhaps the leading expert in the state on the Brownfield Cleanup Program, and continues to be active in a number of legislative and state policy advisory groups working to improve the program. She is listed in *Best Lawyers in America* for Environmental Law and Environmental Litigation, and with *Superlawyer* in the areas of Environmental Law and Energy & Natural Resources Law.

Some of the notable legal precedents she helped establish include:

*Volunteers of America v. Heinrich*, 90 F.Supp.2d 252 (W.D.N.Y. 2000) (sufficient facts were pleaded to support innocent purchaser defense and defeat motion to dismiss)

*Syms v. Olin Corp.*, 408 F.3d 95 (2d Cir. 2005)(costs at a site contaminated by the federal government and Olin Chemical to monitor contractors and provide maintenance to facilitate clean-up efforts were upheld as National Contingency Plan valid response costs)

*Dominic Cotroneo v. Shaw Environmental*, 639 F.3d 186 (5<sup>th</sup> Cir. 2011) (exposure to radioactive Americium was established such that parties exposed can commence future personal injury actions upon manifestation of future radiation exposure caused illnesses)

Ms. Shaw served as Vice-President of the New York Environmental Business Association, Legal Chair of the New York Chapter of the National Brownfield Association, Board Member, Executive Committee Member, and a member of the Business Council and New York State Bar Association. She is currently serving as a delegate for the New York State Bar Association. She received the Building a Better New York award from the New York State Business Council for her work on the Brownfields/Superfund Task Force. She is a frequent lecturer at brownfield and continuing legal education seminars.

Ms. Shaw received all three of her degrees of higher education—Bachelor of Arts, Master of Arts, and Juris Doctorate degrees—from St. John's University and St. John's Law School.

# Keith Silliman, Esq.

## Stantec

Since 1987, Mr. Silliman has been at the forefront of innovative permitting strategies for energy projects, including the relicensing of hydropower projects.

While serving as the energy counsel for New York State Department of Environmental Conservation (NYSDEC), he developed a pioneering Memorandum of Understanding (MOU) with the Federal Energy Regulatory Commission (FERC) and the New York Power Authority (NYPA) regarding the relicensing of the St. Lawrence Hydropower Project. This agreement streamlined the environmental review process and provided for a collaborative stakeholder process; it served as a model for FERC's alternative licensing process regulations that were subsequently adopted for the licensing of both hydropower and later interstate gas pipeline projects. Mr. Silliman is a recognized national expert on the water quality certifications for federally licensed projects having lectured and written extensively on the scope of State authority under Section 401 of the federal Clean Water Act. Mr. Silliman successfully negotiated historic collaborative settlement agreements for the relicensing of hydropower systems on the Genesee, Salmon, Oswego, Beaver, Raquette, Black, Sacandaga and Hudson Rivers.

As the Niagara Relicensing Director with NYPA, Mr. Silliman developed a relicensing process for the Niagara Power Project that streamlined environmental review, provided for stakeholder involvement and developed innovative habitat improvement mechanisms. He also brokered settlement agreements with the Tuscarora Nation, resolving conflicts between NYPA and the Nation that had existed since construction of the project; as well as with the natural resource agencies and environmental groups.

As a Project Manager with Brookfield Renewable Power, Mr. Silliman focused on the development of new hydropower facilities at existing dams throughout the Midwest, Northeast and MidAtlantic regions.

As a consultant, Mr. Silliman has helped develop best management practices (BMPs) for major energy projects to avoid, reduce and mitigate environmental impacts; use of the BMPs helped streamline permitting on several gas and electric transmission line projects. He has managed consultation with regulatory and resource agencies and has developed and led stakeholder engagement efforts.

Mr. Silliman earned a Master's Degree in Environmental Science from the SUNY College of Environmental Science and Forestry and a Juris Doctor Degree from the Syracuse University College of Law.





# Doreen A. Simmons, Esq.

Hancock Estabrook, LLP



Doreen A. Simmons is the Leader of the Environmental Practice. She has more than 30 years of experience representing major and mid-sized industries, individuals, municipalities and not-for-profit organizations in regulatory proceedings and matters involving compliance, acquisitions and permitting throughout the State of New York in all regions of the New York State Department of Environmental Conservation. Ms. Simmons has represented clients in State and Federal litigated matters (CERCLA, RCRA, CWA, TSCA, FIFRA), and the New York State Navigation Law (petroleum sites), as well as Article 78 proceedings, toxic tort litigation, insurance coverage lawsuits, and contract disputes in courts and before regulatory agencies.

Ms. Simmons' broad experience encompasses all aspects and types of permitting (air, waste, wastewater, wetlands, stormwater and mining) as well as ISO certification and oil and gas projects, particularly in the Marcellus Shale. She has negotiated numerous consent orders and voluntary agreements with the EPA and the DEC and has assisted clients with contaminated property transactions, Brownfields and "Green" Projects. Ms. Simmons has assisted sellers, developers, Industrial Development Corporations, municipalities and lenders with security interest preservation, State and Federal grant opportunities, SEQRA and historical preservation.

Prior to joining Hancock Estabrook, Ms. Simmons served as a prosecutor for seven years in the Onondaga County District Attorney's Office.

Ms. Simmons was selected as a Best Lawyers' 2016 Syracuse Litigation - Environmental "Lawyer of the Year".

In 2014, Ms. Simmons was selected as one of the "Top 25: 2014 Women Upstate New York Super Lawyers" and as a "Lawyer of the Year" by *Corporate LiveWire* magazine.

In 2013, Ms. Simmons received the "American Inns of Court Professionalism Award" for the Second Circuit American Inns of Court. It is the first time an attorney in the 32 county Federal District Court, Northern District of New York, has received this award.



# Thomas R. Smith, Esq.

Bond, Schoeneck & King PLLC



Tom R. Smith is a litigation attorney with more than 35 years of experience in civil litigation, dispute resolution and risk management counseling, representing large and small businesses, universities and colleges and individuals. He represents clients in federal and state courts, before administrative agencies and in arbitrations and mediations.

Tom has been recognized for his knowledge and experience in environmental litigation. He handles litigation over remediation costs, damages and penalties related to releases of hazardous substances and petroleum and concerning the proper management of hazardous or toxic materials. Tom has litigated environmental cases involving federal statutes such as CERCLA, RCRA, the Clean Water Act and the Clean Air Act, and New York statutes such as the Environmental Conservation Law, Navigation Law and Labor Law, as well as claims arising under common law. He also defends toxic tort claims, including claims for personal injury or illness, fear of future harm and medical monitoring, and claims for property damage or diminution in property value arising from contamination.

The cases Tom has handled have involved a variety of pollutants and toxic substances, including volatile and semi-volatile organic compounds, PCBs, petroleum, pesticides, lead and other metals, asbestos and crystalline silica. He has represented clients in a variety of industries, including manufacturers of hair care products, automotive components, carbonless copy paper and other paper products, plastics, pesticides, electrical components and filtration products, petroleum distributors and retailers and institutions of higher education.

A substantial portion of Tom's practice also includes litigation over business disputes, such as breach of contract claims, unfair competition, post-employment restrictions on competition and insurance coverage issues.

Tom has presented on professional responsibility and ethics issues for the New York State Bar Association.



# Dana P. Stanton, Esq.

Nixon Peabody



Dana Stanton is an associate in Nixon Peabody's Energy & Environmental practice group. She assists clients to achieve compliance with complex environmental laws and regulations.

Ms. Stanton's practice focuses on the development, financing and buying/selling of energy and solid waste projects. She performs environmental diligence for clients that rely on her to identify and evaluate existing and potential environmental liabilities and structure deal provisions to eliminate and allocate risks.

She also counsels developers and lenders in contaminated property and brownfields redevelopment, including advising on federal, state and local programs to obtain liability relief.

Additional areas of focus for Nixon Peabody are environmental cost recovery litigation, brownfield transactions, municipal law and land use litigation. Ms. Stanton oversees the cleanup of contaminated property from investigation, through remediation, to site closure.



# Jessica Steinberg Albin

Elisabeth Haub School of Law at Pace University



Jessica Steinberg Albin is the Associate Director of Environmental Law Programs. She also teaches the NY Environmental Externship class. Prior to joining Pace Law, Ms. Albin was an Assistant Attorney at the New York State Department of Environmental Conservation ("NYSDEC"), Region 2. She worked in the Office of Hearings and Mediation Services and in Region 2 (New York City) handling matters involving marine resources, the Brownfield Cleanup Program, and the State Superfund. Prior to working at NYSDEC, Jessica was an associate at Sive, Paget & Riesel, P.C ("SPR"). Her work at SPR included representing public and private sector clients in all aspects of environmental law and litigation and related land use matters.

Ms. Albin graduated cum laude from Pace Law School in 2007. While there, she earned a Certificate in Environmental Law and completed a joint degree with Bard College, where she earned a Master of Science in Environmental Policy. She served as a Case Note/Comment Editor of the Pace Law Review, interned for the Land Use Law Center, helped chair the National Environmental Law Moot Court Competition, and spent a summer at the U.S. Environmental Protection Agency in Washington, D.C. Prior to law school, she taught middle school science and Latin in Miami, FL. Ms. Albin graduated with a B.A. from the College of William and Mary.

Ms. Albin was a member of the New York City Bar Environmental Law Committee from 2012 until 2015 and in the 2008 class of the New York City Environmental Law Leadership Institute. She is a director on the Theodore Gordon Flyfishers Board.





# Robert A. Stout, Esq.

Whiteman Osterman & Hanna LLP



Robert Stout joined Whiteman Osterman & Hanna LLP in 2010. He advises clients on all aspects of environmental law with particular experience counseling clients on environmental regulatory compliance and enforcement. Mr. Stout assists clients in resolving enforcement proceedings and consent order negotiations before State and federal agencies including the United States Department of Justice, United States Environmental Protection Agency, New York State Department of Environmental Conservation and New York State Attorney General's Office, among others.

Mr. Stout assists clients in environmental impact assessment, including serving as environmental co-counsel to the New York State Thruway Authority for the replacement of the Tappan Zee Bridge. He also assists clients in obtaining land use and environmental approvals from federal, State and local agencies including air, water and hazardous waste permits, among others. His practice extends further to representing local Town, Planning and Zoning Boards of Appeal on diverse municipal, planning, zoning and land use matters.

Mr. Stout's skills as an attorney and commitment to public service have been recognized on numerous occasions. He has been identified as a Rising Star by Super Lawyer magazine in both New York State as well as New Jersey during his time practicing there. Real Estate New Jersey Magazine named him as one of "Tomorrow's Leaders" in 2009. In May of 2010, the President of the New Jersey State Bar Association presented him with the NJSBA Young Lawyers Division "Service to the Bar Award".

Rob also lends his time to cultural pursuits in the community, recently serving as a Board member of the Historic Albany Foundation, volunteering for the Albany Institute of History and Art and working with his neighbors in the Village of Round Lake to assist in preserving the 1847 Ferris organ located in the Round Lake Auditorium, a National Historic Landmark. In 2013, he was accepted into the membership of the Confrérie des Chevaliers du Tastevin, an international cultural and educational organization dedicated to the celebration of Burgundy and its wines.



# Jeffrey C. Stravino, Esq.

Hodgson Russ LLP



Jeff focuses his practice on business and environmental litigation. He has experience in a wide range of civil litigation matters, including federal and state court litigation at both the trial and appellate levels. Jeff represents large and small companies, as well as individuals, in shareholder, accounting, health care, software and complex contract matters. Jeff also represents clients in various environmental matters, including litigation under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA); Resource Conservation and Recovery Act (RCRA); Clean Water Act; Clean Air Act; and New York's navigation law. He also represents clients in PRP groups, and advises clients on various environmental compliance matters and regularly interacts with state and federal agencies. Jeff successfully worked with the U.S. attorney to obtain a several-million-dollar settlement for the government and his clients in False Claims Act (qui tam) litigation. Jeff also serves as local counsel for out-of-town clients, and has extensive experience representing clients in mediations and arbitrations, including before the American Arbitration Association under both the Commercial Rules and the International Rules.

## Honors

- Listed, *Best Lawyers in America* (Commercial Litigation) 2018
- Listed, *Upstate New York Super Lawyers*, 2012 - 2017
- *Buffalo Business First/Buffalo Law Journal's* Legal Elite of Western New York, 2014
- *Buffalo Business First's* 40 Under Forty Award
- Laidlaw Law Alumni Association Award for Excellence in Commercial Law
- Former executive editor and associate editor, *Buffalo Law Review*



# Meave Tooher, Esq.

Tooher & Barone LLP

Meave M. Tooher is an accomplished litigator in state and federal courts and has conducted numerous administrative hearings before several state agencies. Her clients include municipalities and not for profit organizations as well as corporate and small business entities. She has provided representation to clients in CERCLA, SEQRA and Navigation Law actions, as well as citizen suits under the Clean Water Act. Meave has worked as a private attorney practicing in the state and federal courts for over twenty years and previously practiced with the Law Offices of Marc S. Gerstman, focusing on environmental, municipal and administrative litigation. Prior to entering private practice, she served as Associate Counsel to the Environmental Conservation Committee with the New York State Assembly, and subsequently served eight years as Investigative Counsel with the New York State Ethics Commission, later the State Commission on Public Integrity. She has counseled clients in balancing ethical considerations in meeting the regulatory framework of environmental protection and continues to counsel State employees in defending against charges of violations of New York's Public Officers Law. Meave served as a law clerk to United States Magistrate Judge Ralph W. Smith Jr. in the Northern District of New York, and as senior law clerk to the Honorable Con. G. Cholakis, U.S. District Court, also in the Northern District.

Meave currently serves as the chair of the Zoning Board of Appeals for the Town of New Baltimore, New York. She has provided several presentations on ethics to the National Institute of Environmental Health at the National Institute for Health in Raleigh-Durham, North Carolina, and has been a presenter with the New York State Bar Association Environmental Law Section.

Meave holds a Bachelor's degree in Psychology from Fordham University and earned her J.D. at the University of Maryland School of Law.

Member, New York State Bar Association

Admitted to Practice in:

United States Supreme Court Northern and Southern Districts of New York U.S. Court of Appeals, 2nd Circuit New York State Appellate Division, Third Department



# Genevieve M. Trigg, Esq.

Whiteman Osterman & Hanna LLP  
Albany Chair



Genevieve Trigg is a member of Whiteman Osterman & Hanna's Real Estate Development, Zoning and Land Use; Municipal; and Environmental Practice Groups. Her areas of expertise include Environmental Law, Zoning, and Planning and Land Use Permitting. Prior to joining the Firm, Ms. Trigg was an associate attorney at Tooher & Barone, LLP and she previously served as a legal intern for General Electric's Environmental Health & Safety Department.

## REPRESENTATIVE ACCOMPLISHMENTS

- Assists various developers in obtaining local permits and SEQRA approval for large commercial and housing developments.
- Acts as co-counsel for one of the largest truck stop and convenient store companies in the United States with respect to development projects in New York State.
- Represents a private higher education institution in Syracuse, New York in evaluating impacts to property and uses owned by the institution as the City of Syracuse undergoes a city-wide rezone.
- Assisted an international religious organization with due diligence prior to acquiring 100± acres of land in the mid-Hudson Valley area.
- Acted as co-counsel for the New York Independent System Operator (NYISO) in connection with obtaining land use and environmental approvals for the construction of the power control center (PCC) for New York State. The PCC operates and controls the bulk electric transmission grid across the State.
- Represented real estate developers, private property owners and local agencies in connection with evaluating the impacts of construction projects on historic and pre-historic resources under the SEQRA including developing mitigation measures and project alternatives to avoid or minimize impacts on such resources.
- Represented the Town of Greenport Planning Board in its site plan review and evaluation of impacts under SEQRA for various projects including the development of a mental health group home, and a 2.6 MW solar farm.

- Represent individuals and businesses before State and federal agencies in enforcement actions regarding alleged violations of environmental laws. Negotiated numerous consent orders with the EPA and New York State Department of Environmental Conservation to settle and resolve violations.

#### AFFILIATIONS

Ms. Trigg is admitted to practice in New York State and is a member of both the New York State Bar Association and the American Bar Association.

#### PROFESSIONAL/COMMUNITY

Ms. Trigg is a member of the New York State Bar, the American Bar Association, the New York State Bar Association, and the Albany County Bar Association. She is a member of the Board of Directors of Saratoga PLAN, Saratoga County's only land conservancy and trust. She also serves as a member of the Board of Directors of Historic Albany Foundation.

#### PUBLICATIONS

Ms. Trigg regularly presents on SEQRA and land use issues, and is the author of many published articles including: *Solar Power Purchase Agreements: What Every Municipality Should Know Before Signing*, Talk of the Towns, April 2016; *Zoning Immunity: What's That?* N.Y. Zoning Law and Practice Report, June 2015; *To Drill or Not To Drill: Municipal Land Use Strategies for Addressing Natural Gas Drilling*, N.Y. Zoning Law and Practice, December 2014; *Exempting Local Governments from Zoning Regulations*, Planning News - New York Planning Federation, 2013.

#### BACKGROUND/EDUCATION

Ms. Trigg was awarded a Juris Doctor from Albany Law School. She holds a Bachelor of Arts degree, cum laude, in Psychology from St. John's University.



# Miriam E. Villani, Esq.

Sahn Ward Coschignano, PLLC



Miriam E. Villani is a Partner with the firm. Her practice focuses on all aspects of [environmental law](#), including litigation, transactional matters, permitting, and regulatory and compliance proceedings. Ms. Villani represents and advises developers, corporations, municipalities, buyers, sellers, and lenders in transactions involving brownfields and other contaminated properties. She also represents clients in environmental litigation in both federal and state courts and before administrative agencies. Her extensive experience and her knowledge of environmental law includes the New York State Environmental Conservation Law, the New York State Navigation Law, the wetlands acts, RCRA, TSCA, and CERCLA.

Ms. Villani began her legal career as an Assistant Regional Counsel for the U.S. Environmental Protection Agency. She was counsel with environmental law practice groups at two prominent Long Island law firms, and was special environmental counsel to a global pharmaceutical company, where she managed complex environmental insurance litigation.

Ms. Villani has served as Chair of the Environmental Law Section of the New York State Bar Association and is currently Editor-in-Chief of *The New York Environmental Lawyer*, a quarterly journal published by the New York State Bar Association. In addition, she is a past vice chair of the Nassau County Bar Association's Environmental Law Committee. She has been published in several legal journals and books, including *West's New York Practice Series*, and regularly teaches and speaks on environmental issues and the law.

In 2016, Ms. Villani was selected to the New York Metro Super Lawyers list in the practice area of Environmental Law. In 2011 and 2013, she was named as one of *Long Island Business News'* Top 50 Most Influential Women.

Ms. Villani is admitted to practice in the State of New York and before the United States District Courts for the Eastern and Southern Districts.

Ms. Villani received her Bachelor of Arts from the State University of New York at Stony Brook (B.A., *cum laude*, 1981), and her Juris Doctor degree from St. John's University School of Law (J.D., 1984).

