

ANNUAL CONFERENCE prop.65clearinghouse

MONDAY, SEPTEMBER 19, 2022

JULIA MORGAN BALLROOM

4:00 to 5:00 **Res Judicata...
Deja Vu, All Over Again**

Moderator:
Panel

Rick McNeil, Partner, Crowell Moring
Amy Lally, Partner, Sidley Austin
Ryan Landis, Partner, CMBG3 Law
Judith Praitis, Partner, Faegre Drinker Biddle & Reath

Bios

Rick McNeil

Partner, Crowell Moring

Rick McNeil has over 30 years of experience in environmental law litigation and counseling.

He is a 1981 graduate of Yale University and a 1984 graduate of UC Berkeley Law School, where he was a member of the California Law Review.

His practice includes regulatory compliance in air, water, hazardous materials, and consumer product safety and he has been involved in Proposition 65 since its inception.

He is a partner with Crowell & Moring and is resident in the firm's Orange County office.

Amy Lally

Partner, Sidley Austin

Amy Lally is a trial lawyer who practices in all areas of litigation, including class actions, contract dispute litigation and real estate litigation. She serves as a global co-leader of Sidley's Consumer Class Actions practice area. Amy has broadly represented the consumer products and services industries in litigation arising under Proposition 65, California's Unfair Business Practices Act (UCL, Section 17200), False Advertising Law (FAL, Section 17500), the Consumer Legal Remedies Act (CLRA), labeling laws (including on comparative pricing and Made in America), the California Invasion of Privacy Act (CIPA), TCPA, the Song-Beverly Credit Card Act and California's Shine the Light law.

She is a leading member of Sidley's CCPA Litigation Task Force, a dedicated group of lawyers focused on the California Consumer Privacy Act (CCPA), counseling clients on how to assess and mitigate litigation risks by putting in place the policies, procedures and protocols that comply with the new law. Her clients include numerous consumer goods manufacturers and retailers, including vitamin and dietary supplement companies,

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pharmaceutical companies, apparel, furniture and home goods companies and e-commerce companies. Amy also has represented a wide variety of other businesses such as financial institutions, hedge funds, accounting firms and oil and gas companies.

Amy has tried cases to verdict in both California state and federal court and the Court of Federal Claims. She litigates cases in multiple courts throughout California, including in the counties of Alameda, Los Angeles, Orange, Riverside, Sacramento, San Diego, San Francisco and San Mateo.

Clients have described Amy as “an excellent trial lawyer; she is an aggressive and knowledgeable advocate in Prop. 65 Cases” (Chambers USA, 2015). She was also recommended in the 2017 edition of The Legal 500 for dispute resolution.

Amy earned her J.D. from Georgetown University Law Center and her B.A. from Boston College, summa cum laude, and was a member of Phi Beta Kappa, Golden Key National Honor Society and Cross and Crown Honor Society.

Ryan Landis

Partner, CMBG3 Law

Ryan’s legal practice involves environmental and toxic tort litigation; regulatory compliance; and ESG consulting.

He has defended companies in Prop 65 litigation enforcement matters for more than 15 years. In addition to litigation defense, Ryan also advises companies on Prop 65 regulatory compliance and risk management measures. His clients have ranged from large retailers to distributors and suppliers to vendors and manufacturers, in industries including: food and dietary supplements; personal care and cosmetic products; sports and fitness products; automotive materials; general consumer use products; cleaning products; and home-care appliance products.

Ryan’s practice also focuses on federal and state environmental counseling and litigation with an emphasis on petrochemical and agricultural product regulations, hazardous waste, groundwater contamination, environmental auditing, air quality management, and ESG program development.

Ryan received his Bachelor of Science in Environmental Law, Policy and Planning from University of California at Berkeley and his law degree from the University of San Diego School of Law.

Judith Praitis

Partner, Faegre Drinker Biddle & Reath

Judith Praitis counsels clients on environmental transactional issues and on air, water and waste management permitting, compliance, release reporting and enforcement issues under California and federal law. With decades of experience in environmental law, Judith is a trusted source of legal and business guidance for clients working to develop and implement environmental management systems, audit compliance protocols, and anticipate and adapt to emerging regulatory environments. Judith has particular experience managing complex environmental matters for distressed entities, or those with material legacy environmental liabilities, to orchestrate a controlled resolution of such obligations. She is particularly adept at crafting novel settlements with governmental regulators and prosecutors.

Hazardous Waste Management and Site Remediation

Judith has established herself as an authority in hazardous waste management and site remediation, including the redevelopment of oil field properties and military bases. This experience has also given Judith the knowledge and perspective to confidently assist clients in the legal aspects of brownfields redevelopment. In these matters, she has represented clients in various industries, including chemical producers, hotel companies, food products manufacturers, real estate developers, solar energy companies and health care facilities.

In California, Judith has appeared before the South Coast Air Quality Management District (SCAQMD) and the Bay Area Air Quality Management District (BAAQMD) and has dealt with various regional water quality control boards, the State Water Resources Control Board, and the California Environmental Protection Agency (CalEPA) Department of Toxic Substances Control (DTSC). She has worked with all of California’s major regulatory authorities, including the Coastal Commission, Department of Fish and Wildlife, and the

Board of Equalization. Over the years, Judith has also resolved California Air Resources Board (CARB) enforcement matters, particularly those concerning volatile organic compound (VOC) consumer product content regulations.

Transactions and Environmental Due Diligence

Through environmental due diligence, insurance and risk mitigation counseling, Judith delivers peace of mind to clients pursuing and finalizing major transactions. She prepares and submits filings for the Securities and Exchange Commission and reviews environmental provisions in leases, loan documents, sale contracts and other contracts on behalf of lenders, borrowers, issuers, buyers, sellers and investors. Some of these transactional matters have involved valuing, banking and trading emissions credits. Judith has managed several large, multi-state, multinational environmental diligence reviews involving hundreds of properties throughout the U.S. and abroad. She has worked on complicated bankruptcy filings and transactions requiring management of environmental matters in jurisdictions throughout the country.

Federal Environmental Law

Judith counsels clients on Resource Conservation and Recovery Act (RCRA) compliance, Superfund case management, stormwater compliance, Emergency Planning and Community Right-to-Know Act (EPCRA) matters and release reporting. In addition, she has participated in the federal rule-making process, including formal administrative and legal challenges to U.S. Environmental Protection Agency (EPA) rules, and has helped to negotiate consent decrees and resolve federal enforcement matters.

California Proposition 65

Judith advises clients on compliance with and, if necessary, litigation of, Proposition 65 matters, particularly those involving the food and supplement industries and other consumer products. She assists clients with compliance under many of California's product- and chemical-specific regulatory regimes, including the Green Chemistry Initiative.

Judith's Proposition 65 representations include some of the most significant and complex matters involving the legislation, including several prosecuted by the Office of the Attorney General of the State of California. Her Proposition 65 work includes cases involving:

- Bottled water
- Chocolate
- Ginseng
- Progesterone creams
- Brass fixtures
- Children's vitamins
- Dietary supplements
- Supplements containing alcohol
- Meal replacement bars
- Textiles
- Glassware
- Electrical cords
- Plastic and vinyl products
- Alleged exposures at hotels

Honors

- Chambers USA — California, Environment, 2021-22
- Best Lawyers® — Environmental Law, 2012, 2014-23; Litigation - Environmental, 2022-23
- The Legal 500 — Leading Lawyer in Environmental Law, 2012-17
- Chambers USA — Leading Lawyer in Environmental Law, 2012-19

Services & Industries

- Environment and Energy
- Brownfields Development
- Climate Change and Sustainability
- Energy Transactions
- Environmental Compliance
- Environmental Litigation
- Consumer Products and Retail

- Food and Agribusiness
- Hospitality and Restaurants
- Health and Life Sciences

Credentials

Bar Admissions

California

Court Admissions

U.S. District Court for the Central District of California

U.S. District Court for the Northern District of California

Education

Harvard Law School J.D. cum laude in Law (1988)

University of Chicago

A.B. with honors, Phi Beta Kappa in Political Science (1985)

Languages

Spanish | Lithuanian