



## Environmental

Susman Godfrey has decades of experience representing both plaintiffs and defendants in litigation concerning the discharge of hazardous substances into the environment. The firm has represented state and local governments as well as private plaintiffs in lawsuits to stop the discharge of pollutants into the environment and to recover damages associated with those discharges. These actions have included Superfund remediation actions, natural resource damage (“NRD”) actions, and toxic tort actions for personal injuries and property damage. We have also represented insurance companies in dozens of significant coverage disputes concerning environmental contamination.

We are currently involved in some of the most prominent environmental litigation in the country. For our efforts regarding climate change litigation, Susman Godfrey was previously one of four law firms selected as a recipient of the *National Law Journal* Pro Bono Award. The firm worked on behalf of the Texas Cities for Clean Air Coalition in its successful efforts to block 8 new coal-burning power plants that would contribute to global climate change.

- ***In re Flint Water.*** Chaired the Expert Committee and Court- appointed to the Executive Committee coordinating class actions in state and federal courts on behalf of residents of Flint, Michigan who are pursuing claims for personal injuries and property damage arising from the water crisis resulting from lead contamination in the city’s water supply. To date, the team has secured court-approved settlements valued at \$626 million with multiple governmental defendants, including the state of Michigan. Litigation continues against other defendants, including two private engineering firms charged with professional negligence.
- ***State of Louisiana and Louisiana Parishes v. Chevron et al.*** Defending Chevron against two coastal Louisiana parishes, Jefferson and Plaquemines, who filed suit against Chevron and approximately 80 other oil and gas companies seeking damages for land loss allegedly caused by oil and gas operations in their respective parishes. These 20+ cases seek to use Louisiana state law to force restoration of large swaths of coastal

Louisiana, restoration which the State of Louisiana has estimated (in a published “Master Plan for Restoring the Coast”) to cost upwards of \$50 billion over the ensuing decades.

- ***Arnhold et al. v. United States.*** Serving as lead Counsel for class of Whidbey Island, Washington residents in a class action in the United States Court of Federal Claims challenging the impact on property values caused by a substantial increase in EA-18 Growler flights from Naval Air Station Whidbey Island and the Outlying Field in Coupeville, Washington.
- ***Carey et al. v. Du Pont De Nemours and Chemours.*** Serving as interim co-lead counsel in a putative class action in North Carolina federal court against DuPont and Chemours that seeks relief based on contamination of the Cape Fear River and the water supplies of surrounding communities with toxic PFAS chemicals discharged from the Fayetteville Works chemical plant.
- ***Texas Coalition of Clean Air Cities v. Las Brisas Energy Center.*** Served as pro bono counsel to the Texas Coalition of Clean Air Cities (TCACC), a group of over 30 Texas cities, which opposed the construction of the Las Brisas Energy Center, a petroleum coke-fired power plant in Corpus Christi, Texas. The proposed plant would have significantly contributed to climate change—Las Brisas’s own projections estimated that it would emit approximately 10 million tons of carbon dioxide during each year of its operation. After a two-week hearing, the presiding administrative law judges issued a 120-page decision recommending denial or remand of the Las Brisas permit. Susman Godfrey continued to represent the cities during a second trial, after which the judges once again recommended denial of the permit, based in part on their finding that the Texas Commission on Environmental Quality (TCEQ) had improperly assisted the permit applicant. The TCEQ issued the permit regardless, and Susman Godfrey represented the cities in a judicial challenge to the TCEQ’s decision. The Texas Coalition of Clean Air Cities won the appeal, and the power company finally abandoned the attempt to install the plant. [Read more.](#)
- ***Applications of Las Brisas Energy Center.*** Represented over 30 Texas cities arguing that the proposed construction of a power plant did not comply with environmental law. The plant owner withdrew its application after judges in two separate trials found in favor of our clients.
- ***In re Bayou Corne Sinkhole Litigation.*** Represented Texas Brine Corporation in a case pending in Napoleonville, Louisiana, resulting from the Bayou Corne sinkhole that formed in 2012. The case involved complex technical and environmental issues surrounding the collapse of a salt dome. Our client settled with the plaintiff landowners on favorable terms, and then pursued and recovered huge amounts of the costs from other companies responsible for the collapse.
- ***Confidential Environmental Class Action.*** Obtained final approval of a settlement with the last remaining defendant in a major environmental class action in Corpus Christi, Texas. This complex property contamination

lawsuit sought property devaluation damages for a class of more than 3,000 residential properties. As lead counsel, we relentlessly pursued these claims—through three separate trials and four appeals—and ultimately recovered more than \$20 million for the class.