

REPRESENTATIVE CLIENTS

Climate Clients

- State of Delaware
- District of Columbia
- State of Maine
- Commonwealth of Massachusetts
- State of Michigan
- State of Minnesota
- State of New Jersey
- Commonwealth of Puerto Rico
- State of Rhode Island
- Makah Indian Tribe
- Shoalwater Bay Indian Tribe
- Anne Arundel County, MD
- City & County of Honolulu, HI
- City & County of San Francisco, CA
- City of Annapolis, MD
- City of Baltimore, MD
- City of Charleston, SC
- City of Chicago, IL
- City of Imperial Beach, CA
- City of New York, NY
- City of Oakland, CA
- City of Richmond, CA
- City of Santa Cruz, CA
- County of Marin, CA
- County of Maui, HI
- County of San Mateo, CA
- County of Santa Cruz, CA

Water Clients

- State of California
- State of Hawai'i
- State of Maryland
- State of New Jersey
- State of New Mexico
- State of Oregon
- State of Rhode Island
- State of Washington
- State of Wisconsin
- Albertson Water District, NY
- Atlantic City Municipal Utilities Authority, NJ
- Bethpage Water District, NY
- Borough of Hawthorne, NJ
- Carle Place Water District, NY
- City of Belvedere, CA
- City of Brentwood, CA
- City of Brisbane, CA
- City of Chula Vista, CA
- City of Clayton, CA
- City of Concord, CA
- City of East Palo Alto, CA
- City of Foster City, CA
- City of Walnut Creek, CA
- Contra Costa County, CA
- County of Marin, CA
- County of San Mateo, CA
- East Bay Municipal Utility District, CA
- Franklin Square Water District, NY
- Garden City Park Water District, NY
- Greenlawn Water District, NY
- Honolulu Board of Water Supply, HI
- Jericho Water District, NY
- Locust Valley Water District, NY
- Manhasset-Lakeville Water District, NY
- Oyster Bay Water District, NY
- Plainview Water District, NY
- Port Washington Water District, NY
- Port of San Diego, CA
- Rio Linda/Elverta Community Water District, CA
- Ridgewood Water, NJ
- Roslyn Water District, NY
- Sacramento Suburban Water District, CA
- South Farmingdale Water District, NY
- South Huntington Water District, NY

- City of Hercules, CA
- City of Imperial Beach, CA
- City of Lafayette, CA
- City of Larkspur, CA
- City of Martinez, CA
- City of Menlo Park, CA
- City of Mill Valley, CA
- City of Millbrae, CA
- City of Novato, CA
- City of Oakland, CA
- City of Oakley, CA
- City of Orinda, CA
- City of Pacifica, CA
- City of Patterson, CA
- City of Philadelphia, PA
- City of Pinole, CA
- City of Pittsburg, CA
- City of Pleasant Hill, CA
- City of Redwood City, CA
- City of Richmond, CA
- City of Riverbank, CA
- City of San Bruno, CA
- City of San Carlos, CA
- City of San Mateo, CA
- City of San Pablo, CA
- City of San Rafael, CA
- City of San Ramon, CA
- City of Sausalito, CA
- City of South San Francisco, CA
- City of Turlock, CA
- Suffolk County Water Authority, NY
- Town of Atherton, CA
- Town of Colma, CA
- Town of Corte Madera, CA
- Town of Danville, CA
- Town of Fairfax, CA
- Town of Hempstead, NY
- Town of Hillsborough, CA
- Town of Huntington / Dix Hills Water Department, NJ
- Town of Moraga, CA
- Town of Pittsboro, NC
- Town of Portola Valley, CA
- Town of Riverhead, NY
- Town of Ross, CA
- Town of San Anselmo, CA
- Town of Tiburon, CA
- Town of Woodside, CA
- Village of Garden City, NY
- Village of Hempstead, NY
- Village of Mineola, NY
- Village of Sands Point, NY
- Village of Williston Park, NY
- Water Authority of Great Neck North, NY
- Water Authority of Western Nassau County, NY
- West Hempstead Water District, NY
- Westbury Water & Fire District, NY

CLIMATE CHANGE LITIGATION EXPERIENCE

Sher Edling currently represents the following public entities in litigation over fossil fuel industry deception about climate change.

- State of Delaware (2020)
- District of Columbia (2020)
- State of Maine (2024)
- Commonwealth of Massachusetts (2019)
- State of Minnesota (2020)
- State of New Jersey (2022)
- Commonwealth of Puerto Rico (2024)
- State of Rhode Island (2018)
- Makah Indian Tribe (2023)
- Shoalwater Bay Indian Tribe (2023)
- Anne Arundel County, MD (2021)
- City & County of Honolulu, HI (2020)
- City & County of San Francisco, CA (2018)
- City of Annapolis, MD (2021)
- City of Baltimore, MD (2018)
- City of Charleston, SC (2020)
- City of Chicago, IL (2024)
- City of Imperial Beach, CA (2017)
- City of New York, NY (2021)
- City of Oakland, CA (2018)
- City of Richmond, CA (2018)
- City of Santa Cruz, CA (2017)
- County of Marin, CA (2017)
- County of Maui, HI (2020)
- County of San Mateo, CA (2017)
- County of Santa Cruz, CA (2018)

County of San Mateo v. Chevron Corp. et al., No. 17-civ-03222 (San Mateo County, CA) (filed July 17, 2017); *County of Marin v. Chevron Corp. et al.*, No. Civ. 17-02586 (Marin County, CA) (filed July 17, 2017); *City of Imperial Beach v. Chevron Corp. et al.*, No. C17-01227 (Contra Costa County, CA) (filed July 17, 2017); *County of Santa Cruz v. Chevron Corp. et al.*, No. 17-cv-03242 (Santa Cruz County, CA) (filed Dec. 20, 2017); *City of Santa Cruz v. Chevron Corp. et al.*, No. 17-cv-03243 (Santa Cruz County, CA) (filed Dec. 20, 2017); and *City of Richmond v. Chevron Corp. et al.*, No. CIVMSC18-00055 (Contra Costa County, CA) (filed Jan. 22, 2018). Opinion affirming remand to state court: *County of San Mateo v. Chevron Corp.*, 32 F.4th 733 (9th Cir. 2022), *cert. denied*, 2023 WL 3046226 (U.S. Apr. 24, 2023). These six cases assert claims for public nuisance, products liability, negligence, trespass, and failure to warn against members of the fossil fuel industry for climate change injuries arising out of the defendants' deceptive conduct. They seek relief in the form of abatement, damages, punitive damages, and disgorgement of profits.

People of the State of California, by and through the City Attorney for the City & County of San Francisco v. BP, P.L.C. et al., No. CGC-17-561370 (San Francisco County, CA) (filed Sept. 19, 2017); and *People of the State of California, acting by and through the Oakland City Attorney v. BP, P.L.C. et al.*, No. RG-17-875889 (Alameda County, CA) (filed Sept. 19, 2017). Opinions requiring remand to state court: *City of Oakland v. BP PLC*, 969 F.3d 895 (9th Cir. 2020) (reversing denial of motion to remand), *cert. denied*, 141 S. Ct. 2776 (June 14, 2021), *affirming remand*, *City of Oakland v. BP PLC*, 2023 WL 8179286 (9th Cir. Nov. 27, 2023). These cases assert claims for public nuisance, products liability, negligence, trespass, and failure to warn against members of the fossil fuel industry for climate change injuries arising out of the defendants' deceptive conduct. They seek relief in the form of abatement, damages, punitive damages, and disgorgement of profits.

Rhode Island v. Chevron Corp. et al., No. PC-2018-4716 (Providence/Bristol County, RI) (filed July 13, 2018). Opinion affirming remand to state court: *Rhode Island v. Chevron Corp. et al.*, 35 F.4th 44 (1st Cir. 2022), *cert. denied*, 143 S. Ct. 1796 (2023). This case asserts claims for public nuisance, products liability,

negligence, trespass, impairment of public trust resources, and violations of the state environmental rights act against members of the fossil fuel industry for injuries arising out of rising sea levels and disruptions to the hydrologic cycle (extreme heat, precipitation, drought, and wildfire). The case seeks abatement, damages, punitive damages, and disgorgement of profits.

Mayor & City Council of Baltimore v. BP P.L.C. et al., No. 24-C-18-004219 (Baltimore City, MD) (filed July 20, 2018). Opinion affirming remand to state court: *Mayor & City Council of Baltimore v. BP P.L.C. et al.*, 952 F.3d 452, 467 (4th Cir. 2020), *vacated and remanded*, 141 S. Ct. 1532 (2021), *reaffirming remand to state court*, 31 F.4th 178 (4th Cir. 2022), *cert. denied*, 143 S. Ct. 1795 (2023). This case asserts claims for public and private nuisance, products liability, negligence, trespass, and violations of Maryland's consumer protection laws against members of the fossil fuel industry for climate injuries caused by industry deception. The case seeks abatement, damages, punitive damages, and disgorgement of profits.

Massachusetts v. Exxon Mobil Corp., No. 1984-CV-03333-BLS1 (Suffolk County, MA) (filed October 24, 2019). The Commonwealth of Massachusetts asserts claims under the Massachusetts Consumer Protection Act, alleging that Exxon Mobil systematically and intentionally misled Massachusetts investors about material climate-driven risks to its business and Massachusetts consumers about the role the company and its products play in causing climate change.

City and County of Honolulu v. Sunoco LP et al., No. 1CCV-20-0000380 (First Circuit, HI) (filed March 9, 2020). Opinion affirming remand to state court: 39 F.4th 1101 (9th Cir. 2022), *cert. denied*, 143 S. Ct. 1795 (2023). This case asserts claims for public and private nuisance, strict liability for failure to warn, negligent failure to warn, and trespass against members of the fossil fuel industry for injuries arising out of rising sea levels and disruptions to the hydrologic cycle (extreme heat, precipitation, drought, and wildfire). The case seeks abatement, damages, punitive damages, and disgorgement of profits. In October 2023, the Hawai'i Supreme Court affirmed the trial court's denial of the defendants' motions to dismiss for lack of personal jurisdiction and for failure to state a claim. *See City & Cnty. of Honolulu v. Sunoco LP*, 537 P.3d 1173 (Haw. 2023); *cert. denied*, No. 23-947, 2025 WL 76706 (U.S. Jan. 13, 2025), No. 23-952, 2025 WL 76704 (U.S. Jan. 13, 2025).

Minnesota v. American Petroleum Institute et al., No. 62-cv-20-3837 (Ramsey County, MN) (filed June 24, 2020). Opinion affirming remand to state court: 63 F.4th 703 (8th Cir. 2023), *cert. denied*, 2024 WL 72389 (U.S. Jan. 8, 2024). The State of Minnesota, by and through Attorney General Keith Ellison, seeks to hold members of the fossil fuel industry liable for deliberately undermining the science of climate change, purposefully downplaying the role that the purchase and consumption of defendants' products played in causing climate change, and causing catastrophic consequences in Minnesota. The State asserts claims for failure to warn, fraud and misrepresentation, and violations of various Minnesota consumer protection laws.

District of Columbia v. Exxon Mobil Corp. et al., No. 2020 CA 002892 B (D.C. Superior Court) (filed June 25, 2020). Opinion affirming remand to state court: 89 F.4th 144 (D.C. Cir. 2023). This case asserts that fossil fuel industry defendants violated the D.C. Consumer Protection Procedures Act by misrepresenting and omitting information material to D.C. consumers' decisions to purchase defendants' fossil fuel products. The District seeks injunctive relief, civil penalties, costs, and restitution.

City of Charleston v. Brabham Oil Co. et al., No. 2020CP1003975 (Charleston County, SC) (filed Sept. 9, 2020). Opinion remanding case to state court: 2023 WL 11867279 (D.S.C. July 5, 2023), *appeal filed*, No. 23-1802 (4th Cir.). This case asserts claims for public nuisance, private nuisance, strict liability for failure to warn, negligent failure to warn, trespass, and violations of the South Carolina Unfair Trade Practices Act against members of the fossil fuel industry for local climate injuries arising out of their deceptive conduct. The case seeks abatement, damages, punitive damages, and disgorgement of profits.

Delaware v. BP America Inc. et al., No. N20C-09-097 (Delaware Superior Court) (filed Sept. 10, 2020). Opinion affirming remand to state court: 45 F.4th 699 (3d Cir. 2022), *cert. denied*, 143 S. Ct. 2483 (2023). The State of Delaware filed a climate-deception complaint against fossil fuel industry defendants and the country's largest oil trade association for climate-change related impacts. The State seeks damages, punitive damages, and penalties.

County of Maui v. Sunoco LP, No. 2CCV-20-0000283 (Second Circuit, HI) (filed Oct. 12, 2020). Opinion affirming remand to state court: 39 F.4th 1101 (9th Cir. 2022), *cert. denied*, 143 S. Ct. 1795 (2023). The County of Maui filed a climate-deception complaint against fossil fuel defendants. The County asserts claims for public nuisance, private nuisance, strict liability for failure to warn, negligent failure to warn, and trespass. The County seeks damages, punitive damages, and abatement.

City of Annapolis v. BP P.L.C. et al., No. C-02-CV-21-000250 (Anne Arundel County, MD) (filed Feb. 22, 2021). Opinion affirming remand to state court: 94 F.4th 343 (4th Cir. 2024). The City of Annapolis filed a climate-deception complaint against fossil fuel defendants. This case asserts claims for public nuisance, private nuisance, strict liability for failure to warn, negligent failure to warn, trespass, and violation of Maryland's Consumer Protection Act. The City seeks damages, punitive damages, and abatement.

Anne Arundel County v. BP P.L.C. et al., No. C-02-CV-21-000565 (Anne Arundel County, MD) (filed Apr. 26, 2021). Opinion affirming remand to state court: 94 F.4th 343 (4th Cir. 2024). Anne Arundel County filed a climate-deception complaint against fossil fuel defendants. This case asserts claims for public nuisance, private nuisance, strict liability for failure to warn, negligent failure to warn, trespass, and violation of Maryland's Consumer Protection Act. The County seeks damages, punitive damages, and abatement.

City of New York v. Exxon Mobil Corp. et al., No. 451071/2021 (New York County, NY) (filed Apr. 22, 2021). Opinion remanding case to state court: 733 F. Supp. 3d 296 (S.D.N.Y. 2024), *appeal filed*, No. 24-1568 (2d Cir.). The City of New York asserts that Defendants violated the City's Consumer Protection Law and asserts claims for engaging in deceptive trade practices.

Matthew J. Platkin, Attorney General of the State of New Jersey, et al., v. Exxon Mobil Corp. et al., No. MER-L-001797-22 (Mercer County, NY) (filed Oct. 18, 2022). Opinion remanding case to state court: 2023 WL 4086353 (D.N.J. 2023). The State of New Jersey filed a climate-deception complaint against fossil fuel defendants. This case asserts claims for public and private nuisance, trespass, negligence, failure to warn, impairment of the public trust, and violations of the New Jersey Consumer Fraud Act.

Makah Indian Tribe v. Exxon Mobil Corp. et al., No. 23-2-25216-1 SEA (King County, WA) (filed Dec. 20, 2023), *removed*, No. 24-cv-00157 (W.D. Wash. Mar. 7, 2024) (motion to remand pending). The

Makah Indian Tribe asserts claims against major fossil fuel companies for public nuisance and violation of Washington's Product Liability Act.

Shoalwater Bay Indian Tribe v. Exxon Mobil Corp. et al., No. 23-2-25215-2 SEA (King County, WA) (filed Dec. 20, 2023), *removed*, No. 24-cv-00158 (W.D. Wash. Mar. 7, 2024) (motion to remand pending). The Shoalwater Bay Indian Tribe asserts claims against major fossil fuel companies for public nuisance and violation of Washington's Product Liability Act.

City of Chicago v. BP P.L.C. et al., No. 2024CH01024 (Cook County, IL) (filed June 20, 2024), *removed* No. 24-cv-2496 (N.D. Il. Mar. 28, 2024) (motion to remand pending). The City of Chicago asserts claims against fossil fuel industry defendants for strict liability for failure to warn, negligent failure to warn, negligence, public nuisance, private nuisance, civil conspiracy, unjust enrichment, consumer fraud, misrepresentations in connection with sale or advertisements of merchandise, and recovery of City costs of providing services.

Puerto Rico v. Exxon Mobil Corp. et al., No. SJ2024CV06512 (San Juan, PR) (filed July 15, 2024), *removed*, No. 24-cv-01393 (D.P.R. Aug. 30, 2024) (motion to remand pending). The Commonwealth of Puerto Rico asserts claims against major fossil fuel industry defendants for violations of the Environmental Public Policy and Public Nuisance Act, for wrongful or negligent acts and omissions, for strict products liability, and for unfair and deceptive trade acts or practices.

Maine v. BP p.l.c. et al., No. PORSC-CV-24-442 (Cumberland County, ME) (filed November 26, 2024), *removed*, No. 25-cv-00001-NT (D. Me. Jan. 3, 2025) (motion to remand pending). The State of Maine asserts claims against major fossil fuel industry defendants for failure to warn, negligence, nuisance (public, private and statutory), trespass, and violations of the Maine Unfair Trade Practices Act. The State alleges that for decades, fossil fuel defendants deceived Mainers for decades about the role of their fossil fuel products in causing climate change. The State seeks to hold the Defendants accountable for failing to warn Mainers and concealing their knowledge about the devastating consequences of the increasing use of fossil fuels on Maine's people, economy, and environment.

OTHER ENVIRONMENTAL LITIGATION EXPERIENCE

Current and Recent Representations

PFAS

Sher Edling currently represents certain states, cities, and public water providers in cases seeking damages for PFAS contamination of natural resources and drinking water wells. Plaintiffs assert a variety of state law tort claims against the manufacturers of PFAS chemicals and the products that contain or are manufactured with those toxic perfluorinated compounds.

States

- State of California (2022)
- State of Hawai‘i (2023)
- State of Maryland (2023)
- State of New Mexico (2023)
- State of Oregon (2023)
- State of Rhode Island (2023)
- State of Wisconsin (2022)
- State of Washington (2023)

Public Water Providers

- Albertson Water District, NY (2023)
- Atlantic City Municipal Utilities Authority, NJ (2019)
- Bethpage Water District, NY (2019)
- Borough of Hawthorne, NJ (2023)
- Carle Place Water District, NY (2019)
- City of Philadelphia, PA (2022)
- East Bay Municipal Utility District, CA (2022)
- Franklin Square Water District, NY (2023)
- Garden City Park Water District, NY (2019)
- Greenlawn Water District, NY (2023)
- Jericho Water District, NY (2023)
- Locust Valley Water District, NY (2023)
- Manhasset-Lakeville Water District, NY (2020)
- Oyster Bay Water District, NY (2023)
- Plainview Water District, NY (2023)
- Port Washington Water District, NY (2018)
- Ridgewood Water, NJ (2018)
- Roslyn Water District, NY (2018)
- Sacramento Suburban Water District, CA (2022)
- South Farmingdale Water District, NY
- South Huntington Water District, NY
- Suffolk County Water Authority, NY (2017)
- Town of Hempstead, NY (2020)
- Town of Huntington, NY (2021)
- Town of Pittsboro, NC (2023)
- Town of Riverhead, NY (2021)
- Village of Garden City, NY (2019)
- Village of Mineola, NY (2019)
- Village of Sands Point, NY (2020)
- Village of Williston Park, NY (2023)
- Water Authority of Great Neck North, NY (2019)
- Water Authority of Western Nassau County, NY (2019)
- Westbury Water & Fire District, NY (2023)

In addition, Sher Edling has various leadership roles in *In re: Aqueous Film-Forming Foams Products Liability Litigation* (the “AFFF MDL”), a national multi-district litigation concerning certain PFAS-related cases assigned to Judge Richard Gergel in Charleston, South Carolina. In this proceeding—the

largest contamination MDL in the country—Judge Gergel has appointed Stephanie Biehl of SELLP to the Executive Committee, where she co-chairs the Public Water Supplier Committee of the Plaintiffs’ Executive Committee. Ms. Biehl also leads the AFFF MDL ESI team and is also the Co-Chair of the Discovery Committee in that MDL. Ashley Campbell of SELLP serves as Co-Chair of the Water Provider Subcommittee, as well as a member of the Sovereign Subcommittee.

1,4-Dioxane

Sher Edling represents the State of New Jersey, as well as public water providers on Long Island (including Suffolk County Water Authority, the nation’s largest supplier of public drinking water from groundwater), in litigation to recover damages for 1,4-dioxane contamination of drinking water wells and natural resource damages. The lawsuits assert claims against the manufacturers of 1,4-dioxane and products containing 1,4-dioxane.

- State of New Jersey (2023)
- Albertson Water District, NY (2018)
- Bethpage Water District, NY (2018)
- Carle Place Water District, NY (2018)
- Franklin Square Water District, NY (2019)
- Garden City Park Water District, NY (2018)
- Greenlawn Water District, NY (2019)
- Jericho Water District, NY (2018)
- Locust Valley Water District, NY (2018)
- Manhasset-Lakeville Water District, NY (2018)
- Oyster Bay Water District, NY (2018)
- Plainview Water District, NY (2019)
- Port Washington Water District, NY (2018)
- Roslyn Water District, NY (2018)
- South Farmingdale Water District, NY (2019)
- South Huntington Water District, NY (2019)
- Suffolk County Water Authority, NY (2017)
- Town of Hempstead, NY (2019)
- Town of Huntington/Dix Hills Water Department, NY (2019)
- Town of Pittsboro, NC
- Village of Garden City, NY (2019)
- Village of Hempstead, NY (2019)
- Village of Mineola, NY (2019)
- Village of Williston Park, NY (2019)
- Westbury Water & Fire District, NY (2019)
- Water Authority of Western Nassau County, NY (2019)
- West Hempstead Water District, NY (2018)
- Water Authority of Great Neck North, NY (2018)
- Water Replenishment District of Southern California, CA

TCP

Sher Edling attorneys have successfully litigated cases on behalf of water suppliers seeking damages for TCP contamination of drinking water wells for nearly fifteen years.

- California Water Service Company and City of Bakersfield, CA (2003–2016) (TCP, MTBE, and PCE/TCE well contamination)
- City of Livingston, CA (2005–2011)
- City of Oceanside, CA (2005–2011)
- City of Patterson, CA (2019)
- City of Riverbank, CA (2019)
- City of Turlock, CA (2019)
- City of Wasco, CA (2005–2013)
- Hawaii Water Service Co. (2003–2008) (TCP and DBCP well contamination)
- Sacramento Suburban Water District, CA (2019)

PCBs

Sher Edling represents three counties surrounding San Francisco Bay and many municipalities in those counties in litigation against the modern successors of the “old” Monsanto Company. The claims relate to the impairment of the Bay with polychlorinated biphenyls (“PCBs”), which have required and will require the counties and municipalities to spend substantial stormwater infrastructure and maintenance costs to prevent further flows of PCBs into the Bay. Monsanto’s successors removed the case from state court to federal court, and Sher Edling successfully secured remand of the cases back to state court. Sher Edling then defeated the defendants’ demurrers (state-court motions to dismiss) and motions to strike. The cases are now entering discovery.

- *Contra Costa County et al. v. Monsanto Co. et al.*, No. C22-02818 (Contra Costa County, CA) (filed December 21, 2022).
- *County of Marin et al. v. Monsanto Co. et al.*, No. CIV2202843 (Marin County, CA) (filed on September 3, 2022).
- *County of San Mateo et al. v. Monsanto Co. et al.*, No. 22-civ-01667 (San Mateo County, CA) (filed April 21, 2022).

Transboundary Water Pollution

City of Imperial Beach et al. v. U.S. International Boundary & Water Commission et al., No. 18-cv-457-JM-JMA (S.D. Cal.) (filed March 2, 2018). Sher Edling represented the cities of Imperial Beach and Chula Vista, California, as well as the Port of San Diego, which sought equitable relief and damages related to transboundary water contamination from the International Boundary Water Commission and Veolia Water North America. The case resolved via a favorable settlement and directly spurred a \$300 million congressional appropriation for pollution control infrastructure.

Hexavalent Chromium

Sacramento Suburban Water District v. United States et al., No. 17-cv-00860-RHH (Fed. Cl.) (filed June 23, 2017); *Rio Linda/Elverta Community Water District v. United States et al.*, No. 17-cv-00859-RHH (Fed. Cl.) (filed June 23, 2017); *Sacramento Suburban Water District v. Elementis Chromium, Inc. et al.*, No. 2:17-cv-01353-KJM-CKD (E.D. Cal.) (filed June 30, 2017); *Rio Linda/Elverta Community Water District v. United States*, No. 2:17-CV-01349-KJM-CKD (E.D. Cal.) (filed June 30, 2017). Sher Edling represents two water districts that seek damages and response costs for hexavalent chromium contamination of drinking water wells resulting from releases at a nearby former U.S. Air Force base. After overcoming the United States’ motion to dismiss a CERCLA claim and obtaining a favorable Federal Circuit decision on a Takings Clause claim, Sher Edling secured favorable settlements for both water districts before formal expert disclosures and summary judgment. A proposed consent decree has been filed with the court and is awaiting approval.

CERCLA Litigation and Administrative Matters

Sher Edling represents public entities across the country against corporate and federal government defendants in administrative adjustment of potential liability and litigation under the Comprehensive Environmental Response, Compensation, and Liability Act (“CERCLA”), 42 U.S.C. §§ 9601–75.

These matters typically rise out of legacy and ambient contamination on or connected to federal property impacting public entities soil and/or groundwater.

- California Department of Toxic Substances Control
- Bethpage Water District
- City of Chula Vista
- City of National City
- South Farmingdale Water District