



Orange County Bar Association
ENVIRONMENTAL LAW SECTION MEETING
October Meeting: *In-Person*

THURSDAY, OCTOBER 6, 2022

Registration: 12:00 p.m. | Program: 12:30 p.m. – 1:30 p.m.

Please note meeting location:

OCBA Offices, 4101 Westerly Place, Newport Beach, CA 92660 (Free Parking)

Speakers:

John E. Van Vlear, Esq.
Partner, *Newmeyer Dillion*

Jad T. Davis, Esq.
Partner, *Shook, Hardy & Bacon*

Moderated by: **Matthew C. Bures, Esq.**, Partner, *Wolfe & Wyman LLP*

SO, WHAT HAPPENED DURING THAT YEAR-LONG TRIAL IN THE ORANGE COUNTY WATER DISTRICT CASE?

In-the-trenches trial counsel present highlights and answer questions about the year-long Orange County Superior Court trial in the 14-year-old Orange County Water District (OCWD) lawsuit focused mainly on the South Basin solvent contamination. In the case, OCWD alleges California statutory cost recovery (HSAA and OCWD Act) and tort claims (nuisance and negligence) in an attempt to recover nearly \$10 million in investigatory costs – admittedly without any actual remediation. The case history includes massive discovery, 5 million pages of documents in the common data base, a series of successful defense summary motions which the Court of Appeals mostly reversed, and remittitur back down to the trial court. Of the 22 original sites, 17 settled for \$33 million, with the remaining 5 sites going to trial starting in April 2021. The evidentiary phase of the Zoom bench trial lasted through May 2022. While the court has tentatively ruled on liability and other "Gateway Issues," post-trial briefing continues. Lead trial attorneys John Van Vlear and Jad Davis, representing different sites, will share a defense perspective on procedural, technical, and legal aspects – including lessons learned – in this still-unfolding legal saga.

**Complimentary Lunch provided for
OCBA Environmental Law Section Members**

Notice to in-person OCBA meeting and event attendees:
All in-person attendees will be required to follow all California and CDC guidelines then in place.

**Approved for
1.0 MCLE Credit**

Register at www.ocbar.org

This activity has been approved for MCLE by the State Bar of California in the amount of 1.0 hour(s) as appropriate to the content of the activity. OCBA is a State Bar approved MCLE provider and certifies that this activity conforms to the standards for approved education activities prescribed by the rules and regulations of the State Bar of California governing MCLE. Cancellations must be received in writing via fax or e-mail 3 business days prior to the meeting. OCBA reserves the right to substitute speakers.

OCBA Environmental Law Section Meeting – October 6, 2022

Name (*print*): _____ Email: _____
By providing your email address, you agree to allow the OCBA to email you regarding relevant OCBA information.

Firm Name: _____ Bar#: _____ Phone: _____

Business Address: _____ City/ZIP: _____

Visa/MasterCard/Amex/Discover: _____ Expiration Date: _____ CVV: _____

Cardholder Name: _____ Signature: _____

\$ _____ enclosed/to be charged (Make checks payable to the OCBA)

Register online, fax or mail | Mail to: OCBA, P.O. Box 6130 Newport Beach, CA 92658 | Fax to: 949-440-6710

If you are registering by fax or mail within 3 days of the meeting, please contact the OCBA at info@ocbar.org to ensure registration.