

**Lori Barrett** (animallawcommittee@hotmail.com) is chair of the New York City Bar Association Animal Law Committee. As a member of the NYC Bar, she has written several reports advocating for legislation to protect animals and has spoken on several panels about the law and animals. Lori is Senior Counsel in the Contracts & Real Estate Division of the New York City Law Department; a 2015 recipient of the NYC Bar Municipal Affairs Award; and a 2004 graduate of New York University School of Law.





## **DAVID N. BEROL**

**Attorney-Advisor**

**Pesticides and Toxic Substances Law Office**

**Office of General Counsel**

**U.S. Environmental Protection Agency**

### **BRIEF BIO:**

Mr. Berol has been a legal advisor to EPA since 2007, serving in the Agency's Office of General Counsel and focusing on matters pertaining to the Toxic Substances Control Act (TSCA), the Clean Water Act, and the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). Between 2009 and June 2016, he was the lead staff attorney covering TSCA reform matters within the Office of General Counsel, where he worked closely with the Office of Chemical Safety and Pollution Prevention to interpret pending legislation and to respond to external requests for technical assistance bearing on such legislation. Since the Lautenberg Chemical Safety Act has become law, he has continued to advise the Agency on legal issues affecting the implementation of the Act and associated rulemaking proposals. More broadly, Mr. Berol has advised EPA on numerous matters arising under Title I of TSCA, involving chemical data reporting, rulemaking petitions, testing requirements, and significant new use rules.

Aside from TSCA matters, Mr. Berol has many years of experience responding to litigation involving EPA's oversight of state water quality standards under the Clean Water Act. He has also served in a pesticide cancellation proceeding under FIFRA and in defending the Agency's pesticide licensing decisions. Mr. Berol studied law at the University of Virginia and is a member of the Virginia State Bar. Prior to embarking on his legal career, Mr. Berol earned a doctorate from Princeton's Program in History of Science.

### **CONTACT INFO:**

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# Michael Boucher

## Partner



Partner

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## Overview

Michael Boucher is a member of Dentons' Environment practice and leads the firm's chemical, pesticide, and consumer product regulation team.

Mr. Boucher advises and represents manufacturers, distributors, and retailers with respect to federal and state regulation of basic and specialty chemicals and agricultural, institutional, and household pesticides; federal and state inspections and enforcement actions under chemical and pesticide laws; voluntary auditing of compliance with, including voluntary disclosures of non-compliance with, federal and state chemical and pesticide laws; development and implementation of systems for managing compliance with federal and state chemical and pesticide laws; federal agency rulemaking and litigation; environmental marketing claims; pre- and post-acquisition chemical and pesticide regulatory due diligence; chemical and pesticide data task force formation and administration; and international chemical and pesticide regulation and enforcement.

Mr. Boucher also counsels consumer product manufacturers about voluntary and mandatory consumer product recalls; consumer product take-back and recycling; consumer product hazard, defect, and incident reporting; consumer product safety standards; classification, packaging, and labeling requirements for consumer products; federal and state regulation of advertising and claims for consumer products; and consumer product warranties.

In addition, Mr. Boucher lectures regularly on pesticide, chemical, and consumer product regulation and enforcement.

## Experience

- Defense counsel in 30 United States Environmental Protection Agency (EPA), California, New York, and Texas pesticide enforcement cases involving pesticide imports, treated articles, pesticidal devices, R&D pesticides, supplemental distribution of subregistered/distributor products, intermediate pesticides undergoing further production, and hospital disinfectants tested under EPA's Antimicrobial Testing Program.
- Defense counsel in seven TSCA inspections by EPA Headquarters and EPA Regions 2, 4, and 5.
- Counsel for voluntary and mandatory consumer product recalls of antimicrobial computer keyboards and mice, bedbug traps, contact adhesives, electrical coatings, flea-and-tick treatments, germicidal footwear,

healthcare plumbing fixtures, marine sealants, and mold-resistant building products.

- Counsel for a Congressional investigation into the alleged development, manufacture, and processing of persistent, bioaccumulative, and toxic chemicals.
- Product regulatory due diligence for six pesticide and chemical company acquisitions, one divestiture, one joint venture, one leveraged buyout, one restructuring, and one spin-off.
- Successful prosecution of multi-party administrative proceeding before EPA's Office of Pesticide Programs to compel the registration of ammonia used with chlorine to disinfect process water at pulp and paper mills.
- Response to California Department of Toxic Substances Control's data call-in for carbon nanotubes.
- Voluntary audit of corporate family's compliance with sections 302, 311/312, and 313 of the Emergency Planning and Community Right-to-Know Act at 24 industrial facilities in 11 states.

## Recognition

### In the Media

- Quoted, "Questions Grow Ahead of TSCA Inventory 'Reset'", *ChemicalWatch*, September 26, 2016
- Quoted extensively, "3 Big Changes Envisioned In The TSCA Reform Bill", *Law360*, May 24, 2016

## Insights

- "Caveat emptor: EPA limits hearing rights for some conditional registrants under FIFRA", Dentons Client Alert, May 10, 2016
- "Senate Passes TSCA Reform Bill", Dentons Client Alert, January 5, 2016
- "California to Focus on Seven Product Categories for Green Chemistry Scrutiny", Dentons Client Alert, April 17, 2015
- "Summary of the Frank R. Lautenberg Chemical Safety for the 21st Century Act", Dentons Client Alert, April 2, 2015
- "Five Things to Know About a Modernized Toxic Substances Control Act", Dentons Client Alert, March 11, 2015
- "EAB may avoid TSCA statute of limitations ruling", Dentons Client Alert, November 4, 2014
- "Prospects of Amending TSCA Fading Fast", Dentons Client Alert, June 11, 2014
- "California Consumer Products Targeted for Safety Review: What Can We Learn From DTSC's Initial Priority Product List?", March 19, 2014
- "Panelists at hearing express optimism that a compromise on TSCA modernization can be reached but substantial policy differences remain", Dentons Client Alert, November 19, 2013
- "Transparency Gone Wild: The Risks of Trade Secret Exposure Under California's Safer Consumer Products Regulations", September 30, 2013
- "The California Safer Consumer Products Regulations are (finally) finalized – except for those (trade) secret parts that aren't ", Dentons Client Alert, September 4, 2013
- "The California Safer Consumer Products Regulations are (finally) finalized – except for those (trade) secret parts that aren't ", Dentons Client Alert, September 4, 2013
- "Clarification of some CSIA provisions will enhance regulatory predictability", Dentons Client Alert, August

28, 2013

- "Senate EPW Committee agrees to modernize TSCA, but compromise remains elusive", August 7, 2013
- "Issues the Chemical Safety Improvement Act does not address", Dentons Client Alert, July 24, 2013
- "Opportunity for TSCA Reform in the 112th US Congress, ChemicalWatch", co-author, December 2010/January 2011
- "*Pesticide Regulation Handbook*", co-editor and co-author, 4th Edition, 2007
- "*The TSCA Handbook*", co-author, 4th Edition, Government Institutes, 2006
- "China's Regulation of Agricultural Biotechnology", co-authored with John Connor, Jr. and Jeffrey Li, *Metropolitan Corporate Counsel*, December 2006

## Activities and Affiliations

### Presentations

- "Pesticidal Devices: A Legal Perspective", Pesticidal Devices: The New Frontier, presented by the Consumer Specialty Products Association, Ft. Lauderdale, FL, December 9, 2014
- "Non-CPSC Consumer Product Requirements", The Consumer Product Safety Commission from A to Z, presented by Consumer Specialty Products Association, Bethesda, MD, June 4, 2014
- "EPA's Management of Chemicals under Existing TSCA Authorities", Chemical Daily Co., Ltd.: TSCA Seminar, Tokyo, Japan, February 19, 2013
- "Status of Efforts to Modernize TSCA", Chemical Daily Co., Ltd.: TSCA Seminar, Tokyo, Japan, February 19, 2013
- "California's Green Chemistry Initiative", Chemical Daily Co., Ltd.: TSCA Seminar, Tokyo, Japan, February 19, 2013
- "TSCA Reform: Update and Overview", ChemCon the Americas Conference 2010, Philadelphia, PA, November 8, 2010
- "TSCA Reform: Update and Overview", Society for Chemical Hazard Communication Fall Meeting 2010, Arlington, VA, October 6, 2010
- "Summary of Microbial Commercial Activity Notice Requirements under TSCA", Chemical Notification World Summit 2009, Arlington, VA, September 15, 2009
- "Chemical Management Update: USA, Canada, and California", Chemical Daily Co., Ltd.: Toward TSCA Amendment, Tokyo, Japan, September 14, 2009
- "Chemical Management Models: USA, Canada, and California", REACH, TSCA Reform and the Global Challenges of Chemicals Management, Washington, DC, June 11, 2009
- "After the Data Call-Ins: Possible Next Steps in the Regulation of Chemical Nanotechnology", Nanomaterial Data Call-ins and their Regulatory and Enforcement Implications, Washington, DC, April 15, 2009
- "General Certifications of Conformity", Southern Aerosol Technical Association Spring 2009 Meeting, Atlanta, GA, March 26, 2009
- "Regulation of Claims for Antimicrobial Consumer Products", IntertechPira Antimicrobials in Consumer Applications Conference, Tampa, FL, November 17, 2008

## Memberships

- American Bar Association, Section of Environment, Energy, and Resources
- District of Columbia Bar

## Areas of focus

### Practices

- Litigation and Dispute Resolution
- Public Policy and Regulation
- Environment and Natural Resources
- International Commercial Arbitration
- Environmental Regulation
- Cross-Border Transactions
- Canadian Policy
- European Union Environmental Liability Directive
- International Trade
- Chemicals, Pesticides and Product Regulation

### Industry sectors

- Chemicals and Petrochemicals

## Education

- Georgetown University Law Center, 1993, JD, John M. Olin Fellowship and Prize in Law and Economics
- Georgetown University, 1987, AB, *magna cum laude*, Phi Beta Kappa

## Admissions and qualifications

- District of Columbia Bar
- State of New York
- Supreme Court of the United States

## Languages

- French



Jeanine Broughel (pronounced Broll) is the Section Chief for the Pesticide Product Registration Section. Jeanine started with DEC in 1990 with the Product Registration program. Over the last 26 years, Jeanine has handled all types of pesticide registration activities. Jeanine has previously been a member of the Pesticide Program Dialog Committee (PPDC) Workgroup for Comparative Safety Statements and a member of the SFIREG POM Committee. Prior to joining DEC, Jeanine worked for the NYS Department of Health.



**Michael Dulong** (mdulong@riverkeeper.org) joined Riverkeeper in May 2012 as a staff attorney with the Watershed Program. His work focuses on a range of watershed protection issues, including monitoring agency compliance under the New York City Watershed Agreement; ensuring the operation of New York City's reservoirs and infrastructure has minimal impact on local ecosystems and communities; and investigating and developing citizen pollution complaints. He also performs advocacy for Riverkeeper's campaign to prevent irresponsible industrial gas extraction and development in New York with a particular focus on gas development's adverse socioeconomic impacts.

Mr. Dulong received his J.D. from UCLA School of Law in 2011. While there he was an active member of the Moot Court Honors Program, reaching semifinals at the Pace National Environmental Moot Court Competition and serving on the Journal of Environmental Law and Policy. He held clerkships at the Environmental Protection Agency Region II in New York and at the Department of Justice Environmental Enforcement Section in Washington, D.C. Prior to law school, Michael received his B.A., cum laude, from The University of Massachusetts and his M.A. in British and American literature from New York University.





Dan Lear, Esq., Director of Industry Relations, Avvo, Inc., Seattle, Washington

Dan Lear is a lawyer, blogger and legal industry gadfly. As a technology-focused business lawyer, Dan advised companies from startups to the Fortune 100, helping to develop agreements and terms for early cloud services offerings well before "the cloud" was an everyday norm. In 2014, Dan joined Avvo, an online legal marketplace, where he is the Director of Industry Relations and frequently speaks to lawyers and bar associations. Dan has been mentioned, featured, or published in The ABA Journal, Law Practice Today, Law Technology News, NWLawyer, Above the Law and other legal industry press. In 2015 he was named to the FastCase 50 – a group of entrepreneurs, innovators, and trailblazers in the legal profession – and in 2014 Dan was honored with the Washington State Bar Association President's Award for his participation in and advocacy of legal technology projects locally and nationally. Find him on Twitter at @rightbrainlaw.

<http://lawyernomics.avvo.com/author/danlear>

<http://stories.avvo.com/inside-avvo/life-at-avvo/meet-dan-lear-director-industry-relations-avvo>

<https://www.avvo.com/>



**Elinor Molbegott** (ElinorM328@aol.com) maintains a law practice in East Williston, New York, focused on animal rights/protection. She is Legal Counsel/Animal Issues for the Humane Society of New York and represents North Shore Animal League America as well as other humane organizations. In addition to advising North Shore Animal League America on various legal matters, Elinor authors the Pet Legal Advice column on the League's website. She is also a trustee for the Albert Schweitzer Animal Welfare Fund. Elinor served as chair of the Nassau County Bar Association's Animal Law Committee and as a board member of the Mayor's Alliance for New York City's Animals and Animal Rights International. She was the first General Counsel for The American Society for the Prevention of Cruelty to Animals (ASPCA) where she established the Society's legislative program. She was Adjunct Professor of Law at Pace University Law School where she taught an animal law course, one of the first of its kind. Elinor was chair and founder of the first American Bar Association's Animal Protection Committee and edited the ABA's Animal Law Report. She served on the Animals and the Law Committee of the New York State Bar Association and is a life fellow of the American Bar Foundation. Elinor earned her undergraduate degree from Boston University, magna cum laude, and her law degree from Albany Law School of Union University.

Elinor drafted and worked for passage of numerous animal protection bills that have been enacted into law, including laws extending rights of tenants with companion animals, expanding humane education, requiring shelters to spay/neuter prior to adoption, establishing an animal population control fund to help subsidize low-income individuals to have their dogs and cats spayed and neutered, regulating pet dealers and groomers, increasing penalties for cruelty to animals, banning piercing and design tattoos on companion animals, allowing veterinarians to satisfy continuing education requirements by providing free spay/neuter of shelter animals, and regulating horses used for rental purposes.





Keeley Peckham studied Horticultural Therapy at the New York Botanical Garden, where she focused on designing programs to assist the elderly with physical and mental recovery and wellness. Following this, Keeley moved to New Orleans where she studied business and cell biology at Tulane University.

Using her unique combination of horticulture and business experience, Keeley was able to work with her sister Hillary Peckham, and her mother Amy Peckham to secure one of five licenses in New York State to produce and distribute Medical Marijuana to the chronically ill. Keeley and her family strive to produce the highest quality medicine and are at the forefront of the field, producing the purest and safest product available in New York State.

Etain LLC, the only woman owned Medical Marijuana business in New York State operates five locations including four dispensaries and a state of the art manufacturing center. The manufacturing center is located in Warren County and all members of Etain are proud to be bringing economic development to the Adirondack Region, in addition to providing much needed medicine to patients throughout New York.



### ***Biography for Bob Perlis***

Bob is an Assistant General Counsel for Pesticides in the Office of General Counsel at EPA. In his role as Assistant General Counsel, Bob is the first-line manager for attorneys in the Office of General Counsel who work on all legal issues involving conventional pesticides (there is another Assistant General Counsel who oversees the legal work involving biological, biotech, and antimicrobial pesticides). Bob has specialized in pesticide legal work since he joined EPA in 1987, and he has been an Assistant General Counsel for Pesticides for thirteen years. Prior to joining EPA, Bob was a licensing hearing attorney with the Nuclear Regulatory Commission. Bob graduated from Princeton University in 1975 with a B.A. in History, and from NYU Law School in 1979.



## **Telisport W. Putsavage**

Telisport W. Putsavage has more than 30 years of experience in environmental law and regulation, with a major focus on pesticides. He has held significant public and private sector environmental positions. He served as an Assistant Counsel of the New York State Department of Environmental Conservation and as an Assistant Attorney General in the Maryland Department of the Environment. In the private sphere, Mr. Putsavage was a partner at Keller & Heckman and Carter, Ledyard and Milburn, and Of Counsel to Sullivan & Worcester, in their respective Washington, D.C. Offices.

Through his law firm Putsavage PLLC Mr. Putsavage counsels pesticide producers, distributors, retailers and trade associations on federal and state pesticide regulatory and business matters, including product registration and cancellation, federal and state enforcement defense, and scientific data compensation arbitrations. His broader environmental practice has included product due diligence reviews and regulatory audits, as well as issues arising under California's Proposition 65. He has lectured widely on pesticide regulatory issues. Mr. Putsavage is also a principal in EnviroReg LLC, a scientific consulting firm focused on pesticide and other chemical regulatory issues.

In addition to his environmental work, Mr. Putsavage has both represented and been a participant in Thoroughbred racing and breeding. Through his client the American Horse Council, he represented the interests of horse racing before the Federal Gambling Impact Study Commission from 1997 to 2000. He also served as Counsel to the New York Olympic Task Force for the 1980 Lake Placid Olympic Winter Games, and was a staff attorney with the Food Law Project, a Legal Services Corporation law reform project. Mr. Putsavage has also owned an art gallery dealing in American painting and photography.

Mr. Putsavage is a Member of the New York State Bar Association Environment Section Executive Committee and Co-Chair of Section's Pesticides Committee, and a member of the Pesticides, Toxics and Right to Know Committee of the American Bar Association's Environment, Energy and Natural Resources Section.

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**Thomas R. Smith**  
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#### Practice

Toxic Tort and Environmental Litigation

#### Education

Stanford University School of Law (J.D., 1978)  
Cornell University (B.A., *with distinction*, 1975)

#### Bar/Court Admissions

New York  
U.S. Court of Appeals for the Second Circuit  
U.S. District Court for the Eastern District of New York  
U.S. District Court for the Northern District of New York  
U.S. District Court for the Southern District of New York  
U.S. District Court for the Western District of New York

## Thomas R. Smith

Tom serves as co-chair of the firm's toxic tort and environmental litigation practice. He has been recognized for his knowledge and experience in environmental litigation. Tom 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. He 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.

Tom 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 he 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. Tom 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.

#### Honors and Affiliations

- Listed in:
  - *The Best Lawyers in America*® 2017, Litigation - Environmental (listed for 5 years)
    - *Best Lawyers' 2017 Syracuse Litigation - Environmental Lawyer of the Year*
    - *Best Lawyers' 2013 Syracuse Litigation - Environmental Lawyer of the Year*
  - *Martindale-Hubbell*®, AV Preeminent Rated
    - *2013 Top Rated Lawyer in Energy, Environmental and Natural Resources*
  - *New York Super Lawyers 2016*®, Environmental Litigation
- American Bar Association, Litigation Section; Environment, Energy and Resources Section
- New York State Bar Association, Trial Lawyers Section; Environmental Law Section; Torts, Insurance, and Compensation Law Section
- Onondaga County Bar Association, Grievance Committee
- National Association of College and University Attorneys

#### Representative Presentations

- Environmental Update: First Energy, CERCLA Liability and Bankruptcy Issues, Northern District of New York Federal Court Bar Association, Inc., 11/5/15

#### Representative Publications

- Quoted in "Court affirms pro-plaintiff NYCAL ruling," *Legal Newsline*, 8/9/16
- Quoted in "Buffalo verdict upheld in asbestos case," *Buffalo Law Journal*, 8/1/16







## **MARLA E. WIEDER**

**Assistant Regional Counsel  
New York/Caribbean Superfund Branch  
Regional Criminal Enforcement Counsel  
U.S. EPA, Region 2**

### **BRIEF BIO:**

Since 1995, Ms. Wieder has served as an Assistant Regional Counsel with the U.S. Environmental Protection Agency, Region 2, negotiating the cleanup of major hazardous waste sites in New York and the Caribbean. Since 2013, she has also served as a part-time Regional Criminal Enforcement Counsel. She has received numerous awards for her efforts including 3 gold and 2 bronze medals from EPA for her work on the Motors Liquidation Company (f/k/a General Motors (GM) Corporation) Bankruptcy and the Hudson River PCBs Superfund Site. From 2000 through 2011, she served as an adjunct professor at Pace University School of Law where she taught a course concerning the law of hazardous waste management and remediation; she has also assisted with the U.S./Brazil Comparative Environmental Law Course and the Brazil-American Institute for Law and Environment (BAILE) since 2002. In 2007, she served as Visiting Co-Director of the Environmental Law Program at Pace. Prior to these positions, she worked for the New York State Department of Environmental Conservation in Region 3.

Ms. Wieder co-authors the EPA Update column for the New York Environmental Lawyer (a publication of the New York State Bar Association's (NYSBA's) Environmental Law Section (ELS)) and recently contributed to a law review article entitled, *Assessing Environmental Governance of the Hudson River Valley: Application of an IPPEP Model*, 31 Pace Env'tl. L. Rev., No. 1, Winter 2014. The article was later edited and included in *Implementing Environmental Law*, The IUCN Academy of Environmental Law series, Edward Elgar Publishing, August 28, 2015.

In 2014, she was selected to serve as Secretary of ELS and she currently serves as Treasurer. She was formerly the co-Chair of ELS's Solid Waste Committee.

In 2009, Ms. Wieder was awarded the Nicholas A. Robinson Alumni Achievement Award (Pace Law School) for her significant contributions to the field of environmental law.

Ms. Wieder regularly lectures and conducts training for EPA legal and technical staff on a variety of issues topics including, hazardous waste, environmental claims in bankruptcy, brownfields, environmental policy and electronic waste.

### **CONTACT INFO:**

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**David J. Wolfson** ([dwolfson@milbank.com](mailto:dwolfson@milbank.com)) is a partner and Executive Director of Milbank, Tweed, Hadley & McCloy, LLP. He has practiced extensively in the field of animal protection on a pro bono basis, and has represented organizations such as HSUS, MFA and Farm Sanctuary. He currently teaches Animal Law at NYU Law School, and Animal Protection and Public Policy at NYU, and has previously taught at Columbia Law School and Harvard Law School. He has published in the area, with a focus on farmed animal issues.

