

Environmental Litigation and Support for Attorneys



Introduction



Environmental liability issues are often at the forefront of many legal proceedings. The complex nature of most environmental cases requires that an expert possess a unique combination of technical knowledge, an acute awareness of regulatory policy and procedures, and a clear understanding of the legal and business objectives of the parties involved. E2 Managetech, Inc. (E2) has a practice dedicated to supporting attorneys in all aspects of environmental litigation.

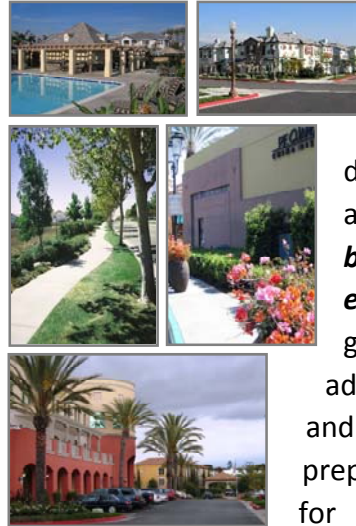
Benefits to our Clients

Expert environmental litigation consulting may require some or all of the following:

- 1 Liability assessment
- 2 Regulatory agency negotiation
- 3 Damage assessment
- 4 Cost allocation
- 5 Expert report preparation
- 6 Testimony for mediation, deposition and trial

E2 is capable of quickly and effectively managing data for the preparation of valuable exhibits. Well prepared, easy-to-read images may provide the winning edge for settlement negotiations, site closures and expert testimony. Our professionals have expert witness experience including the valuable ability to critique an opposing position relative to the standards of practice and scientific merit. Our clients include property owners and purchasers, regulatory agencies, municipalities, and private businesses.

Client Experience



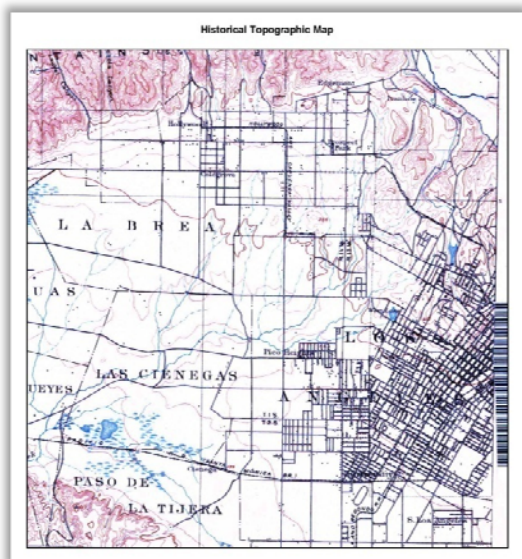
E2's clients consist of both the private and public sector including municipalities, school districts, and regulatory agencies. The **depth and breadth of our environmental expertise** gives us a unique advantage when designing and negotiating site closure, preparing technical positions for expert testimony and effectively supporting litigation.

E2 personnel have performed many due diligence environmental site assessments, regulatory compliance and audit services for a myriad of clients including municipalities, industrial facilities, multiple client-operated properties, and nationwide property portfolios. E2 has supported several law firms throughout Southern California on a variety of matters. Representative examples follow:

For a former 5-acre gun range in San Diego County, E2 reviewed the extent of lead impacted soil and the associated remediation. As part of the assessment, the past land use records were reviewed and reclamation activities were conducted in order to determine an estimate of lead shot volume. The investigation data reviewed and compared with regulatory agency for the purposes of critiquing the plaintiff's cost analyses. The expert witness report supported deposition testimony related to compliance, standard of practice, appropriate remediation approach and cost.

For a former agricultural property to be redeveloped for residential use, E2 personnel

negotiated a soil management plan with the County of Riverside Environmental Health Department. This plan addressed the process for managing the organochlorine pesticide-impacted soil during site grading. Soil was characterized in accordance with the EPA SW-846 guidance including collection of soil samples at random locations and depths, and statistical analysis of the analytical results.



For a client ending a 50-year industrial property lease, E2 reviewed property development and land use history for the purposes of identifying and characterizing chemical impacts that may have occurred during and prior to the lease. Potential chemical impacts included shallow soil metals and petroleum hydrocarbons. Since limited investigation data was available, the investigation relied on forensic analysis of historical aerial photographs. The associated remediation costs were assessed and considered during negotiations. The technical argument and cost basis were presented before the mediating judge, and the case was settled favorably for the client.

For a former waste oil recycling facility, E2 provided third-party oversight of data collection. The goal of the collection was to develop discovery evidence in a dispute involving two properties, multiple parties' legal counsel, technical consultants, and insurance carriers. E2 participated in the negotiation for the site investigation including soil gas, soil, and water.

E2 personnel were responsible for the presentation to the mediating Judge. The E2 team developed a Site Conceptual Model for both properties. This Model summarized 20 years of data and interpreted potential fate and transport pathways so that parties could assess potential risks. E2 personnel provided deposition testimony as a percipient witness.



For a Superfund Operable Unit, E2 provided technical oversight and guidance to a team of attorneys, client executives in environmental and public/government affairs, and Potentially Responsible Party (PRP) consultants. The unit involved volatile organic compounds, emergent contaminants (hexavalent chromium, 1,2,3 trichloropropane [1,2,3 TCP], perchlorate, 1,4-dioxane, and n-nitrosodimethylamine). This project required the participation of multiple stakeholders, including PRPs, local, state and federal environmental agencies, and municipal ground water purveyors. As part of the oversight activities, E2 personnel reviewed the design and implementation of off-site downgradient and the monitoring well network.

