

# Environmental Risk and PFAS Litigation Conference

New York City Bar Association New York, NY June 17-18, 2025

**Conference Co-Chairs** 

AUDREY O. ANYAELE, ESQ. Maron Marvel Jersey City, NJ

CINDY HUNTER
The Hartford
New York, NY

ADAM H. LOVE, PH.D.
Roux
Oakland, CA

# Perrin Conferences Environmental Risk & PFAS Litigation Conference June 17 - June 18, 2025 New York City Bar Association (New York, NY)

#### **Tuesday, June 17, 2025**

8:00 AM - 8:45 AM - Registration and Light Breakfast (Meeting Hall, 2<sup>nd</sup> Floor)

#### 8:45 AM - 9:00 AM - Welcome & Opening Remarks by Co-Chairs

**Audrey O. Anyaele, Esq.,** Maron Marvel Bradley Anderson & Tardy LLC, Jersey City, NJ

**Cindy Hunter,** Underwriting Officer & Claims Liaison, Hartford Global Specialty – Environmental, The Hartford, New York, NY

Adam H. Love, Ph.D., Vice President/Principal Scientist, Roux, Oakland, CA

#### 9:00 AM - 10:00 AM - Trump Administration Impacts on Environmental Claims

- Few Federal regulators, fewer Federal regulations
- Changes to EPA enforcement
- Supreme Court rulings overview
- How does this impact the nature and volume of environmental claims?

Joseph Adams, Esq., Dentons, Honolulu, HI

**Robin Kelliher,** Environmental Solutions – Group Counsel, USI Insurance Services, Short Hills. NJ

Alec Messina, Esq., Hepler Broom LLC, Springfield, IL

Frank Pagone, Ph.D., CIH, Senior Manager, RHP Risk Management Inc., Chicago, IL

#### 10:00 AM - 11:00 AM - The Human Health Effects of PFAS

• The toxicology and epidemiology of the reported health effects of PFAS exposure

John Gardella, Esq., CMBG3, Boston, MA
Angela Perez, Ph.D., CIH, Principal Toxicologist/Senior Technical Fellow Industrial,
Hygiene, J.S. Held LLC, Beaverton, OR
Max Swetman, Esq., MG+M The Law Firm, New Orleans, LA
Thomas R. Waskom, Esq., Hunton Andrews Kurth, Los Angeles, CA

11:00 AM - 11:15 AM - Break (Sponsored by: CMBG3)

# 11:15 AM - 12:15 PM - Microplastics 2.0: The Looming Challenges, Pitfalls, and Uncertainties Facing the Regulated Community, and Beyond

- Background and history of microplastics
- Environmental and toxic tort risks and latest scientific studies
- States leading the legislative charge
- Recommended risk mitigation strategies

**Moderator: George H. Buermann, Esq.** Goldberg Segalla, Newark, NJ **Rebecca DuBoff,** Executive Specialist, Environmental Claims, Crum & Forster, Morristown, NJ

Mark Heaney, Senior Principal, Geosyntec Consultants, Garden City, NY Coral M. Odiot Rivera, Esq., Napoli Shkolnik, San Juan, Puerto Rico Andrew J. Scholz, Esq., Goldberg Segalla, New York, NY

**12:15 PM - 1:30 PM - Lunch** (on your own)

#### 1:30 PM - 2:15 PM - How to Make an Allocation that Sticks

- How to develop allocation strategies that are defensible on Sites with co-mingled impacts that are covered under separate policies or are subject to separate deductibles due to unrelated sources
- Negotiation strategies and how to prepare for future litigation when a contributing party fails to agree to an equitable allocation settlement
- Unearthing potentially responsive historical coverage

**Christopher C. DeCarlo, CHMM, LSRP,** Technical Director, The Vertex Companies LLC, Branchburg, NJ

Kristen Drake, President, PolicyFind, Indianapolis, IN Brian Margolies, Esq., Kaufman Borgeest & Ryan LLP, Valhalla, NY Vivian Villegas, Assistant Vice President, Latent & Environmental Claims, Zurich North

2:15 PM - 3:00 PM - Wildfire Risk and Environmental Insurance

- How are large wildfire claims playing out for residential vs. commercial
- policyholders
- How are claims on various policies (GL, fire, and environmental) being handled?
- Are regions like California becoming uninsurable?
- What are the coverage issues?

America, Schaumburg, IL

**Moderator: Adam H. Love, Ph.D.,** Vice President/Principal Scientist, Roux, Oakland, CA

**Taylor Denier,** SVP Environmental Liability, Mosaic Insurance, Philadelphia, PA **Brian Finnegan,** Managing Director, Environmental Risk, Aon, Brielle, NJ **Kieran Purcell, P.E., LEED AP,** Director, Environmental Practice, Rimkus, Austin, TX

3:00 PM - 3:15 PM - Break

#### 3:15 PM - 4:00 PM - Incorporating Climate Change into Underwriting Evaluations

- Climate change uncertainty and the pace of climate change appears to be growing
- What steps are happening during underwriting where such risks are being considered?
- What steps can a policyholder take to help mitigate such risks?

**Tyler Scott, Esq.,** Spencer Fane, Kansas City, MO **Eric Paglieri, CPCU, ARe,** Head of Environmental Underwriting, AXIS Insurance, New York, NY

#### 4:00 PM - 5:00 PM - The Future of PFAS: Zero-discharge Facilities

- PFAS bans have the potential to negatively impact key industries
- Is there a path forward to continued PFAS use?
- Discussion of the technological and regulatory hurdles that need to be implemented

Moderator: Robert Petti, Esq., Maron Marvel, Chicago, IL

Jason Lagowski, Senior Consultant, Antea Group, Farmington, MI

Joe Tarsavage, Division Manager, Environmental Solutions, Battelle, Columbus, OH

Verónica N. Vázguez, Esq., Napoli Shkolnik, San Juan, Puerto Rico

**5:00 PM - 6:00 PM - Networking Cocktail Reception** (Reception Area at NYC Bar Association)

Sponsored by: Goldberg Segalla, Maron Marvel and Roux

Wednesday, June 18, 2025

8:15 AM - 9:00 AM - Light Breakfast (Meeting Hall, 2<sup>nd</sup> Floor)

9:00 AM - 9:45 AM - From PFAS to Other Toxic Torts, Insurance Coverage Challenges Persist

- Current state of coverage issues for PFAS and exclusions as they stand now
- Evolution of pollution exclusion condition in policies
- Legacy insurance implications with PFAS claims and best practices that insurers and insureds can use to determine the scope of insurance

**Richard A. Janisch, J.D.,** Founder/Principal, Arcina Risk Group LLC, Los Angeles, CA **Seth Kagan,** Vice President, Head of Environmental Claims, Aspen Insurance, Jersey City, NJ

**Rachel H. Kim,** Vice President – Coverage and Bad Faith, Senior Claims Counsel, Sompo, Garden City, NY

Brad S. Moyer, Esq., Kennedys, Kalamazoo, MI

Joseph M. Saka, Esq., Nossaman LLP, Washington, DC

### 9:45 AM - 10:30 AM - Calculating Agricultural PFAS Damages Associated with Biosolids Application

- PFAS in biosolids may ultimately have the largest special impacts
- What are the variety of claimed damages associated with agricultural claims
- What are reasonable approaches to calculating damages to business and properties?
- Approaches to calculating damages: Importance of your claim form

Tod Delaney, PhD, PE, BCEE, President, First Environment, Butler, NJ
Debra Forsythe, Senior Director, Epiq, Marathon, FL
Brian Gross, Esq., MG+M The Law Firm, Boston, MA
Ryan Stifter, M.S., Principal, Economic & Complex Analytics, Roux, San Francisco, CA

10:30 AM - 10:45 AM - Break

#### 10:45 AM - 11:30 AM - Outlook on Mass Tort Reform

- Current MDLs, bellwether trends and emerging jurisdictions
- Is now the time for Mass Tort reform?
- Barrier to overcome to see this change enacted
- Challenging expert opinions
- Potential settlement frameworks and approaches to risk forecasting

Mark Eveland, Founder and Chief Strategy Officer, Verus LLC, Princeton, NJ Joe Hargraves, Esq., The Cook Group, St. Louis, MO Paul Hinton, Practice Co-Leader, The Brattle Group, New York, NY Benjamin J. Nellans, Esq., Segal McCambridge, Chicago, IL

11:30 AM - 12:15 PM - Odor and Health Effects

- Odor nuisance is now often coupled with claims of significant health effects
- How are odor measurements performed and what standards are evaluations of odor nuisance measured by
- What do we know about the science of odors and its impacts on acute vs. chronic physiological/psychological health impacts

Scott Davis, Esq., Spencer Fane, Dallas, TX

Mike Henderson, Ph.D., CIH, Senior Environmental Scientist, HETI, Orlando, FL

Kate Leisch, Vice President, Environmental Claims, Ascot Group, New York, NY

Mary Ann Susavidge, Head of Environmental, Bowhead Specialty Underwriters, Inc., New York, NY

Perrin Conferences Environmental Risk & PFAS Litigation Conference June 17 - June 18, 2025 New York City Bar Association

\*Speaker and Agenda are subject to change.

#### **CONFERENCE LOCATION**

New York City Bar Association 42 West 44th Street New York, NY 10036-6689

#### REGISTRATION

**General Registration: \$1,195** 

Paralegal: \$395

All in-house counsel and insurance claims professionals receive complimentary registration at Perrin Conferences live programs.

Contact <u>Bethany Corio</u> 610-220-1817 or <u>Lynnsey Perrin</u> 610-804-6165 with questions or to register at the complimentary rate.

Register Online: Environmental Risk and PFAS Litigation Conference

**Register by Mail/E-mail:** Complete the Mail-In Registration Form at the end of brochure.

Mail to: Perrin Conferences, 214 Orchard Way, Wayne, PA 19087

Each registration includes private website access to course materials and admission to all sessions and networking events such as refreshment breaks and cocktail receptions.

Group discounts available, please inquire.

#### **HOTEL ROOM BLOCK**

#### Hyatt Centric Times Square Hotel- 135 West 45th Street New York, NY, 10036

Perrin Conferences has a room block for conference attendees and speakers at the Hyatt Centric Times Square Hotel. The group rate is \$319/night. Please use this link to make your reservation.

#### Reserve Your Room

Contact Alison Gill (agill@perrinconferences.com) if you have questions about the room block.

#### **CLE & CE CREDIT INFORMATION**

Applications are being made to all CLE states as requested by attendees. Perrin cannot guarantee accreditation in every state. Approval is determined by each jurisdiction's governing body. This conference is approved for CE Adjuster credit in Florida and Texas and is pending approval in Oklahoma.

Please note, there will be no partial credit awarded for CE credit – The full conference must be attended to earn CE credit. Please send CLE requests for state specific accreditation to <a href="Kelsey Minerd">Kelsey Minerd</a>.

#### **CANCELLATION POLICY**

If you cannot attend the conference, please notify us prior to June 6, 2025 and we will refund your fee or provide a credit for a future conference. The credit needs to be used within one year from the conference date.

Cancellations received on June 7, 2025 and after will not be refunded. You may enroll a substitute at any time before the conference starts. Cancellations received on June 7, 2025 and after may receive a credit for \$200 less than the registration amount paid and can be used by their firm/company within one year from the conference date.

#### **FINANCIAL AID POLICY**

Perrin Conferences is dedicated to providing high-quality continuing legal education to attorneys interested in course offerings. Program registrants who are unable to afford registration fees due to financial hardship may apply for a complete registration waiver or reduction in fee. Factors to be considered include employment status and annual income. Please send a written letter to Lynnsey Perrin addressing your financial situation for consideration. All requests must be submitted 14 days prior to the start of the program and are kept confidential.

#### THANK YOU TO OUR SPONSORS AND PARTNERS

#### **PLATINUM SPONSORS**







MARON MARVEL.





#### **GOLD SPONSORS**

























**BLUE SPONSORS** 



## HUNTON





Spencer Fane®



#### **PERRIN PARTNERS**































Kennedys



MARON MARVEL.



























#### Perrin Conferences Environmental Risk and PFAS Litigation Conference

June 17- 18, 2025, New York, NY Mail-in Registration Form

Attendee Name
Company/Firm Name
Address
City
State Zip Code
Email Address
CIRCLE ONE: Attorney Non-Attorney Insurance Professional In-House Counsel
Registration Fee: \$1,195
Paralegal Fee: \$395
*All Insurance Professionals & In-House Counsel receive Complimentary attendance
Name on Card
Credit Card Number
Expiration Date Code Zip
Please Mail Form to: Perrin Conferences, 214 Orchard Way, Wayne, PA 19087
Email Form to: <u>bcorio@perrinconferences.com</u> or <u>lperrin@perrinconferences.com</u>

Make Checks Payable to: Perrin Conferences, LLC