



PROGRAM ANNOUNCEMENT

The Advocacy Institute Is Pleased to Present

THE ABCs OF NRDs: AN OVERVIEW OF NEW JERSEY'S PURSUIT OF NATURAL RESOURCE DAMAGES

**March 9, 2020
10:00 a.m. – 12:00 p.m.
R.J. Hughes Justice Complex
4th Floor Conference Room A
Trenton, New Jersey**

NOTICE REGARDING COURSE MATERIALS

You will receive the course materials on the day of the program

Program Summary

New Jersey has been a leader in environmental protection, which includes claims for natural resource damages ("NRD"). Natural resources damages result from injuries to the State's natural resources caused by hazardous substances and pollutants. These sometimes controversial claims seek to quantify the damages due to the State as a result of injuries to its natural resources, which are held in trust for the benefit of its citizens. A renewed focus on NRD has occurred over the last two years, manifested by several new NRD lawsuits and other efforts to resolve these claims. This program will provide an overview of the State's NRD efforts, including the legal bases for such claims, the types of resources that can be injured and the types of claims that have been brought, how injuries are assessed, and how NRD may be calculated. The presenters will also discuss examples of NRD litigation, voluntary settlements and projections for future NRD claims.

Who Should Attend?

Attendance at this program is limited to Deputy Attorneys General and Assistant Attorneys General in the Environmental Enforcement & Environmental Justice (EEEJ) and the Environmental Permitting and Counseling (EPAC) sections of the Division of Law and attorneys from the New Jersey Department of Environmental Protection.

Who Is the Faculty?

DAG Rick Engel is a member of the Division of Law's Environmental Enforcement and Environmental Justice Section. DAG Engel has extensive experience in environmental law, including handling Natural Resources Damage cases. He oversaw the start and full-scale implementation of the NRD initiative, and served as chief of the then Hazardous Site Litigation Section. He also worked with outside counsel in the preparation and 66-day trial of the DEP v. Exxon Mobil NRD matter. DAG Engel previously worked in private practice in Virginia and served as an Assistant Attorney General in Missouri. He is a graduate of Lafayette College and the University of Virginia School of Law.

DAG Gwen Farley is a member of the Division of Law's Environmental Enforcement and Environmental Justice Section. DAG Farley has worked on enforcement and cost recovery and natural resource damages cases. She has served as liaison counsel on several NRD matters, including the MTBE litigation and the more recently filed PFAS litigation. Prior to joining DOL, DAG Farley was an Assistant U.S. Attorney in the Eastern District of New York, where she handled forfeiture, environmental, tort, employment discrimination and social security cases. Before that, DAG Farley was a litigation associate at Mudge Rose Guthrie Alexander & Ferdon in New York, where she concentrated on commercial and securities litigation and white-collar RICO cases. She holds a B.A. from Georgetown University and a J.D. from Pepperdine University Law School.

DAG Paul Stofa is an Assistant Section Chief in the Division of Law's Environmental Enforcement and Environmental Justice Section. DAG Stofa has worked on a variety of environmental matters including Spill Act cost recovery and natural resource (NRD) cases. He represented the plaintiffs in among the first NRD cases brought to trial in New Jersey. He has also worked on NRD settlements that have resulted in ecological restoration projects, land preservation and monetary recoveries for the State. DAG Stofa was a law clerk at the Office of Administrative Law. While in law school, he interned at the U.S. Environmental Protection Agency – Region II and worked in the legal department at Hess Corporation. DAG Stofa holds a degree in Environmental Policy from Rutgers University-Cook College and a J.D. from Seton Hall University School of Law.

CLE Credit

NJ CLE Credit: This program had been approved by the Board on Continuing Legal Education of the Supreme Court of New Jersey for 2.0 hours of total CLE credit. Of these, 0.0 qualify as hours of credit for ethics/professionalism.

NY CLE Credit: 2.0 Substantive Credits (pursuant to the approved jurisdiction policy).

PA CLE Credit: 1.5 Substantive Credits (\$3.00 registration fee required).