



James A. Bruen

Of Counsel

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James A. Bruen is nationally recognized for his extensive criminal and civil litigation and emergency response and product development/claims counseling experience. He is a past president of the American College of Environmental Lawyers, where he also a member of the Executive Committee and leader of the international *pro bono* program. He is a former president and officer of the charitable non-profit ACOEL Foundation.

In 2018, Jim was honored as an environmental "Trailblazer" by the *National Law Journal*. He has been repeatedly listed as one of the top environmental lawyers in California by *Chambers USA*. He was listed as one of the top environmental experts in the United States in Legal Media Group's 2018 *Guide to the World's Leading Lawyers-Best of the Best USA*. In 2009, he was designated as one of the nation's 16 "Distinguished Environmental Advocates" by the American Bar Association. He was recently named a global thought leader in environmental law by *Who's Who Legal: Thought Leaders -Global Elite: 2019-2020*.

Jim's practice has included representation of industry, universities and governmental institutions in complex domestic and international products and environmental counseling and litigation. He is also a highly regarded expert in product stewardship with wide-ranging experience in product design, manufacturing, distribution and stewardship issues, as well as on plant sitings, plant closures, raw material sourcing, EHS management systems, codes of conduct, effluent guidelines and other sustainable development issues. He has coordinated and supervised domestic and international products and environmental litigation. He has served as lead trial counsel (to trial teams and "virtual law firms") in mass tort litigation, natural resource damage litigation, environmental enforcement litigation, environmental cost recovery/contribution litigation and white collar environmental crimes defense. He has extensive experience in leading the successful prosecution or defense of litigation while simultaneously managing confounding regulatory or business matters. He is nationally known for his expertise in emergency response and crisis management. He has been trained as a mediator by the Strauss Institute for Conflict Resolution at Pepperdine University. He has also served as an arbitrator of complex environmental issues.

Prior to joining Farella, Jim was the founding partner of Landels Ripley & Diamond's Environmental Law Department. Before entering private practice, he served for seven years as a Criminal Division Assistant United States Attorney, a Civil Division Assistant United States Attorney, and Chief of the Civil Division, in the Office of the United States Attorney for the Northern District of California.

Jim is a widely known author and lecturer in environmental and products liability law. His articles and teaching materials have been used by law departments and governmental entities throughout the country. Jim has been selected for inclusion in *The Best Lawyers in America* in the areas of Environmental Law, Environmental Litigation, Mass Tort Litigation and Natural Resources Law and was named the Best Lawyers 2014 San Francisco Mass Tort Litigation / Class Actions - Defendants "Lawyer of the Year." He is the recipient of the 2015 Client Choice Award for Environment & Climate Change for California. He has been recognized in *Who's Who in America*, *Who's Who in the World*, *International Corporate Law's Guide to Environmental Law Experts*, *Practical Law Company's Which Lawyer? Yearbook*, *Expert Guides' Best of the Best USA*, *International Who's Who of Environment Lawyers*, *International Who's Who of Business Lawyers*, *PLC Cross-Border Environment Handbook*, *Who's Who Legal USA* (Environment), *Who's Who Legal California* (Environment), and *Who's Who in American Law*.

Services

- Environmental Law
- Environmental Litigation
- Natural Resource Protection
- Product Liability and Stewardship
- Proposition 65 Counseling and Defense

Education

- Stanford Law School (J.D.)
- Claremont Men's College (B.A.)
. *cum laude*

Bar Admissions

- California

Distinctions

- Lawdragon 500 Leading Environmental & Energy Lawyers (2021)
- Environmental "Trailblazer", *National Law Journal* (2018)
- "Thought Leader" in *Who's Who Legal: Thought Leaders – Global Elite (2019-2020)*
- Band 1 environmental lawyers in California, *Chambers USA (2001-2018)*
- Legal Media Group's *Guides to the World's Leading Lawyers – Best of the Best USA*
- 16 "Distinguished Environmental Advocates" by the American Bar Association (2009)
- *Best Lawyers in America* in the areas of Environmental Law, Environmental Litigation, Mass Tort Litigation/Class Action–Defendants; and Natural Resources Law (2021)
- *Best Lawyers San Francisco Mass Tort Litigation / Class Actions – Defendants "Lawyer of the Year"* (2014)
- Client Choice Award for Environment & Climate Change for California (2015)
- *Who's Who in America*
- *Who's Who in the World*
- International Corporate Law's *Guide to Environmental Law Experts*
- Practical Law Company's *Which Lawyer? Yearbook*
- Expert Guides' *Best of the Best USA*
- *International Who's Who of Environment Lawyers*
- *International Who's Who of Business Lawyers*
- *PLC Cross-Border Environment Handbook*
- *Who's Who Legal USA* (Environment)
- *Who's Who Legal California* (Environment)
- *Who's Who in American Law*
- Northern California Super Lawyers (2004-2021)

Memberships and Affiliations

- Fellow and Past President, American College of Environmental Lawyers
- Former President and Officer, ACOEL Foundation
- Member, International Society for Environmental Epidemiology
- Member, International Society of Environmental Forensics
- Master-at-Large, Edward J. McFetridge (San Francisco) Chapter of the American Inn of Court
- Life Fellow, American Bar Foundation
- Former Chief of Civil Division, Office of the United States Attorney, Northern District of California

Experience

Angeles Chemical Company

Represent Omega Chemical PRP Group, as common counsel, which includes 115 defendants named in a complex environmental cost recovery lawsuit filed by Angeles Chemical Company in Southern California federal court. We also represent two defendants in toxic tort litigation brought by nine individual plaintiffs involving sites in Los Angeles County. Plaintiffs allege a variety of personal injury claims arising from indoor air exposure.

Hookston Station Toxic Tort Litigation

Represented Union Pacific Railroad in a mass tort litigation involving 225 plaintiffs in Contra Costa Superior Court alleging personal injuries and property damages from groundwater contamination. We obtained

summary judgment eliminating the plaintiffs' strict liability/ultra hazardous activity, intentional infliction of emotional distress, negligent infliction of emotional distress, medical monitoring and "remediation" causes of action. We also won summary judgment of negligence-based property damage claims from 50 of the plaintiffs. Following these advantageous rulings, we negotiated a very favorable settlement of the remaining claims.

BART v. GE Transportation Systems

We represented GE in a \$500 million federal court litigation in the Northern District of California involving the development of an experimental train control technology for BART. The case successfully settled after a partial summary judgment motion knocked out BART's breach of contract claim based on the exclusive remedy provision of the contract.

FMC Corporation

Farella represents FMC Corporation in separate coordinated lawsuits filed throughout the State of California regarding groundwater contamination due to historical applications of soil fumigants. Farella successfully negotiated resolution of seven of the original eight lawsuits.

Cost Recovery Litigation and Related Remediation Counseling at Former Shooting Range

Representing California real estate developers Otay Land Company/Flat Rock Land Company, subsidiaries of HomeFed Corporation, in cleanup cost recovery litigation against multiple defendants who once operated a multi-acre former shooting range near San Diego, CA. The litigation has raised issues of first impression and national importance that were argued before the Ninth Circuit. The State of California, the Sierra Club (now Earth Justice) and the Natural Resources Defense Council all filed amicus curiae briefs supporting Otay/Flat Rock – Farella legal positions.

Global Product Stewardship

Serve on the global product stewardship committee for international apparel company. Developed a "do not use" list of chemicals which was implemented globally throughout all of the company's manufacturing facilities.

Outside the Office

Jim is a rockstar traveler – he's visited 110 countries, from the Marquesa Islands, and Mongolia, to Zambia, as well as places like Easter Island, Lofoten and the Antarctic. Since 2013, he has led the American College of Environmental Lawyers charitable non-profit work in China and Sub-Saharan Africa, and has been active in the College's work involving Cuba, India and Haiti.