

Speaker Biographies

Daniel Flores

Mr. Flores is the Chief Counsel for the House Judiciary Committee's Subcommittee on Courts, Commercial and Administrative Law. He joined the Committee at the beginning of the 110th Congress as the Chief Republican Counsel on the Subcommittee on Commercial and Administrative Law. Before his service in Congress, Mr. Flores served as Acting Associate Deputy General Counsel, Acting Assistant General Counsel for the Cross-Cutting Issues Law Office (International Environmental Law Practice Group), and Attorney-Advisor in the U.S. Environmental Protection Agency's Office of General Counsel; as a Senior Attorney and Trial Attorney within the Environmental Defense Section of the U.S. Department of Justice's Environment and Natural Resources Division; and as a member of the private bar in Washington, D.C. Mr. Flores is a 1987 graduate of Yale Law School.

Judge Merideth Wright



Judge Wright is the Environmental Law Institute's current Distinguished Judicial Scholar. Judge Wright retired in 2011 as one of the two environmental judges for the State of Vermont. She had presided over the Vermont Environmental Court (now known as the Environmental Division of the Vermont Superior Court) since its creation in 1990. A specialized court with jurisdiction over environmental enforcement cases as well as those involving state and local environmental and land use permitting decisions, the Court is the only judicial branch environmental court with state-wide jurisdiction in the country. Before her appointment to the bench, Judge Wright worked for nine years in the Environmental section of the Vermont Attorney General's Office, and as a staff attorney for the Vermont Supreme Court. Before moving to Vermont in 1978, she worked for the U.S. EPA, for a small Washington, D.C. law firm, and for a prosecutor's office. Judge Wright earned her J.D. degree in 1974 from the University of Chicago and her B.A. degree in 1971, magna cum laude, from Yale University, in an independent Environmental Studies major.

She has taught courses at the Vermont Law School, the University of Vermont, and Pace University School of Law, and has given presentations on judicial and environmental topics at international and U.S. conferences.

Most recently, she has worked with the U.S.-China Partnership for Environmental Law, together with U.S. and Chinese judges and professors, on developing a curriculum for Chinese judicial education on environmental topics, and presented on specialized environmental courts at an international conference on environmental enforcement and compliance as well as at an international working symposium on environmental adjudication. She has also been working internationally with judges and other environmental law scholars and professionals towards the development of a global institute for judges and the environment. Since 2003, Judge Wright has consulted with and given presentations to judges, lawyers, government officials, and legal

scholars in Jamaica, China, Australia, England, Scotland, Sweden, and France on topics relating to environmental judicial work and the rule of law.

John Pendergrass



John Pendergrass is a Senior Attorney at the Environmental Law Institute. He is Director of ELI's Center for State, Local, and Regional Environmental Programs and Co-Director of International Programs. His innovative work on facilitating legal and administrative programs for the cleanup of contaminated sites has resulted in national and local policy changes that benefit public health and the environment. He also leads ELI's Judicial Education program, which aims to educate judges worldwide about environmental law. He has been a member of the accreditation council that oversees Environmental Management Systems certification since 1997.

His areas of expertise include state greenhouse gas reduction programs, Environmental Management Systems (EMS), capacity building for improved environmental governance, judicial education, Superfund enforcement, the cleanup and redevelopment of brownfields, and state and national water quality programs.

Mr. Pendergrass earned a B.S. in environmental science from Michigan State University and earned a J.D. from Case Western Reserve University. He is the author of many publications including When Bad Things Happen to Good Property (Envtl. L. Inst. 2006), Estimating the Cost of Institutional Controls with Katherine Probst (2005), and "Institutional Controls in the States: What is and Can Be Done to Protect Public Health at Brownfields," (35 Conn. L. Rev. 1255, 2003).

David Hunter



Professor Hunter is a member of the American University Washington College of Law faculty where he teaches US Environmental Law, International Environmental Law, Comparative Environmental Law, and the Law of Torts. He is also the Director of the International Legal Studies Program and the Program on International and Comparative Environmental Law.

He currently serves on the Board of Directors of the Environmental Law Alliance Worldwide (US), EarthRights International, and the Project on Government Oversight. Professor Hunter is also a Board Member and Member Scholar of the Center for Progressive Reform.

Furthermore, he is a member of the Organization of American States' Expert Group on Environmental Law, the Steering Committee of the IUCN's Commission on Environmental Law, and the Compliance Advisor/Ombudsman's Strategic Advisors Group.

Professor Hunter graduated from the University of Michigan in 1983 with a BA in economics and political science, and received his JD from Harvard Law School in 1986. He was formerly an environmental consultant to the Czech and Slovak environmental ministries and an environmental associate at the law firm of Skadden, Arps, Slate, Meagher & Flom. As former Executive Director of WaterWatch of Oregon, he worked to improve western water laws.

He is the author of several publications including "Negligence in the Air: The Duty of Care in Climate Change Litigation" (U. Pa. L. Rev., 2007) co-authored with James Salzman, "International Environmental Law and Policy" (3d. ed., Foundation Press 2006) co-authored with James Salzman and Durwood Zaelke, "Using the World Bank Inspection Panel to Defend the Interests of Project-Affected People" (U. Chi. J. Intl. L., 2003), and "Ecological Perspective on Property: A Call for Judicial Protection of the Public's Interest in Environmentally Critical Resources" (Harv. Envtl. L. Rev., 1988).

Jake Schmidt



Jake Schmidt is the International Climate Policy Director at the Natural Resources Defense Council (NRDC), where he leads NRDC's policy development and advocacy on international climate change. In addition to this, Mr. Schmidt works with NRDC teams in key regions of the world, including China, India and Latin America, to deliver actions that reduce emissions.

While working at the Center for Clean Air policy, he led a dialogue of senior climate change negotiators from more than 30 developed and developing countries to discuss options for the future international climate change regime. Mr. Schmidt's twelve years of international climate policy experience also include work on Europe's strategy to reduce greenhouse gas emissions, Europe's air quality policy, U.S. federal climate change policy, state climate change policy, aviation emissions, and carbon sequestration.

He received his B.A. in economics from Muhlenberg College and M.P.P. in environmental policy, with a certificate in ecological economics, from the School of Public Policy at the University of Maryland.

Lisa Goldman



Lisa Goldman works on a broad array of domestic and international projects at ELI. Her research interests include forestry and biodiversity in Liberia; environmental justice and community environmental enforcement; energy subsidies and federal climate change legislation; transboundary environmental impact assessment; and constitutional environmental law. She has helped train environmental officials in Chile, Liberia, Laos, and throughout the U.S.

Before joining ELI in 2004, Goldman spent two years working as a Graduate Fellow at the Institute for Public Representation, an environmental law clinic at Georgetown University, and clerked for the Honorable Robert J. Timlin, U.S. District Judge for the Central District of California. She is a Returned Peace Corps Volunteer from Niger.

Judge Kathie A. Stein

Judge Stein serves on EPA's Environmental Appeals Board. She was previously Director of EPA's RCRA and Air Enforcement divisions within the Office of Enforcement and Compliance Assurance. She was also Acting Regional Counsel for EPA Region III. Prior to her time at EPA, she has held various positions with the US Department of Justice, the Environmental Defense Fund, and the Maryland Attorney General's Office. She has also worked in private law practices.

Timothy Epp

Timothy Epp is a Senior Counsel in the EPA's Office of General Counsel. He received his JD from Harvard Law School in 1990, and his BA from Bethel College-North Newton in 1986.

Judge Catherine McCabe

Judge McCabe serves on EPA's Environmental Appeals Board. She was previously Principal Deputy Assistant Administrator of EPA's Office of Enforcement and Compliance Assurance from 2005 to 2011. She also spent 22 years serving in the Environment and Natural Resources Division of the US Department of Justice. Judge McCabe was furthermore Deputy Chief of the Department's Environmental Enforcement Section from 2001 to 2005. She also previously served as New York State Assistant Attorney General, along with working in private law practices in New York City.

Nívea Berríos

Nívea Berríos is a Senior Counsel for the EPA's Environmental Appeals Board.

Jessica Troell



Jessica Troell is a Staff Attorney at the Environmental Law Institute, where she directs the International Water Program. Her work focuses on water governance at the local, national, and international levels. Ms. Troell works with NGOs, governments, the private sector, and universities throughout Africa, Latin America and the Caribbean, and Asia to create, implement, and enforce sustainable water laws, policies, and management mechanisms.

Prior to joining ELI, Ms. Troell was a law fellow with the Mandela Institute of Law at the University of the Witwatersrand in South Africa, conducting applied research on the implementation of catchment management in the Limpopo River Basin, and a Peace Corps volunteer in Morocco. She is the author of several articles and book chapters, and has worked at the U.S. Environmental Protection Agency, the Natural Resources Defense Council, and has served as a consultant to the Orange River Basin Commission.

Ms. Troell is a graduate of Oberlin College and the University of Virginia School of Law.

Bruce Meyers



Bruce Myers works on the Institute's U.S. and international programs. His domestic research centers on constitutional environmental law in the courts, protection of water resources, industrial agriculture, and chemical regulation. Specifically, he has examined constitutional challenges to environmental statutes, cooperative federalism, and citizen participation. He has researched federal jurisdiction under the Clean Water Act and technical aspects of the federal pollution permitting and TMDL programs. He has also studied the federal toxics and pesticide statutes.

His international focus is in Africa, where he has played a key role in the Liberia Forest Initiative, which is working to reform that post-conflict nation's forest sector through implementation of a comprehensive program of legal and institutional reforms. He has trained representatives of nongovernmental organizations, government, and industry in South Africa and Kenya on environmental advocacy.

Myers has over seven years of experience with the Institute. He practiced law at a large Washington, DC, law firm, and he served as a law clerk to a senior judge of the U.S. District Court for the Central District of California, at Los Angeles.

Carroll Muffett



Carroll Muffett is the President and CEO of the Center for International Environmental Law. He served as the Executive Director of the Climate Law & Policy Project as well as the Deputy Campaigns Director at Greenpeace USA prior to joining CIEL. In this role he was instrumental in administering campaigns on global warming and forests.

Until 2006, Mr. Muffett served as international counsel and Senior Director for International Conservation at Defenders of Wildlife. His work there contributed to international protections for great white sharks, wild birds and high value timber species like mahogany. Prior to joining Defenders of Wildlife in 2000, he was an attorney with the firm of Covington & Burling, and a legal fellow at CIEL.

Mr. Muffett is a graduate of the University of Minnesota Law School as well as Georgetown University's School of Foreign Service. He has authored articles and textbook chapters on national and international environmental policy, and has won praise for his expertise in international wildlife law. Currently he is co-editing a book on Governance, Natural Resources and Post-Conflict Peacebuilding for ELI, and serves on the Board of Directors for the Species Survival Network, the Board of Editors for the International Journal of Wildlife Law and Policy, and is a member of IUCN's Commission on Environmental Law.

Dinah Shelton



Dinah Shelton is the first woman nominated by the United States to be a Commissioner of the Inter-American Commission on Human Rights. She was elected during the 39th regular period of sessions of the OAS General Assembly in June 2009, and began her four year term on January 1, 2012. She is the Manatt/Ahn Professor of International Law at the George Washington University Law School. Commissioner Shelton was previously a professor of international law and director of the doctoral program in international human rights law at the University of Notre Dame Law School. She has taught at Santa Clara University, the University of California, Davis, Stanford University, University of California, Berkeley, the University of Paris, and the University of Strasbourg, France.

She also directed the Office of Staff Attorneys at the United States Court of Appeals of the Ninth Circuit, and served as Director of Studies at the International Institute of Human Rights. Commissioner Shelton has been an international law consultant for organizations including the World Health Organization, the United Nations Environment Programme, the UN Food and Agriculture Organization, and the UN Institute for Training and Research. Professor Shelton is a member of the board of editors of the American Journal of International Law and is a vice-president of the American Society of International Law. She was awarded the prestigious Elizabeth Haub Prize in Environmental Law in 2006.

She has written, co-written, or edited 19 books, and written many book chapters and articles on human rights and international law. She has won prizes as the author or editor of three books: Protecting Human Rights in the Americas (winner of the 1982 Inter-American Bar Association Book Prize and co-authored with Thomas Buergenthal), Remedies in International Human Rights Law (awarded the 2000 Certificate of Merit, American Society of International Law), and the three volume Encyclopedia of Genocide and Crimes against Humanity (awarded a “Best Research” book award by the New York Public Library).

Stacey Mitchell



Stacey Mitchell is the head of the Environmental Crimes Section of the U.S. Department of Justice. She is currently leading her team in working with the U.S. Coast Guard to detect, deter, and prosecute illegal discharge of pollutants from ships into oceans, coastal waters, and inland waterways.

Ms. Mitchell earned her undergraduate degree from Colby College and attended Tulane University Law School. After graduating she joined the Manhattan District Attorney’s Office, where she prosecuted sex crimes, narcotics, and even murder, before returning to her original passion for environmental protection.

Ronald Tenpas



Ronald Tenpas is an environmental attorney with the firm Morgan Lewis and co-chairs their Environmental and Climate Change Practices. He was the Assistant Attorney General for the Environment and Natural Resources Division of the U.S. Department of Justice, where he advised Cabinet and White House officials and oversaw 400 attorneys.

While at the Department of Justice, he received the Edmund Randolph Award, the department’s highest honor. Before moving to Washington, D.C., Mr. Tenpas served as the U.S. Attorney in the Southern District of Illinois and as an Assistant U.S. Attorney in the District of Maryland

and the Middle District of Florida. In these positions he worked extensively on white-collar crime, including health care fraud, identity theft, and insider trading.

Mr. Tenpas received a B.A. with high honors in international relations from Michigan State University before receiving a postgraduate B.A. in philosophy, politics, and economics from Oxford University, Balliol College, as a Rhodes Scholar. He was editor-in-chief of the *Virginia Law Review* at the University of Virginia School of Law and was named to the Order of the Coif.

Phillip Brooks

Phillip Brooks is the Director of the Air Enforcement Division of the Office of Civil Enforcement of the US Environmental Protection Agency. Before his time at the EPA, Phil worked as an attorney with the Commodity Futures Trading Commission's Enforcement Division. In 1987, he transferred to the Enforcement Section of the Environment Division. He has since worked in litigation, including representing the US Army to recover millions of dollars in cleanup costs at the Rocky Mountain Arsenal Superfund Site. He acted as lead counsel in the case *US v. Stringfellow*, resolving the issue of California's liability for over \$100 million. He has also served as managing litigation counsel in cases regarding violations of the Clean Air Act by coal-fired power plants.

Arik Levinson



Arik Levinson is a professor of Economics at Georgetown University and previously taught at the University of Wisconsin. He has served as Co-Editor of the *Berkeley Electronic Journal of Economic Analysis and Policy*, and the *Journal of Environmental Economics and Management*.

Professor Levinson was also a Senior Economist at the White House Council of Economic Advisers, and served on the National Science Foundation Economics Advisory Panel. He has conducted research with the National Bureau of Economic Research, the German Institute for Economic Research, Resources for the Future, and the US Environmental Protection Agency's Environmental Economics Advisory Committee.

In 2009, he received the *American Economic Review's* Excellence in Refereeing Award. He is the author of many books and journal articles, including "Valuing Public Goods Using Happiness Data: The Case of Air Quality," (*Journal of Public Economics*, 2012) and the forthcoming, "Belts and Suspenders: Interactions among Climate Policy Regulations."

Professor Levinson received his BA from Harvard University, and his Ph.D. in Economics from Columbia University.

Judge Nancy B. Firestone

Judge Firestone was appointed Judge of the United States Court of Federal Claims on October 22, 1998. She is also an adjunct professor of law at Georgetown University Law Center. She was previously Deputy Assistant Attorney General in the Environment and Natural Resources Division of the US Justice Department from 1995 to 1998. Judge Firestone also served as a Judge on the EPA's Environmental Appeals Board from 1992 to 1995. She was the Associate Deputy Administrator of the Environmental Protection Agency from 1989 to 1992. Before her work with the EPA, Judge Firestone was also an attorney with the US Department of Justice.

Judge Firestone graduated from Washington University with a BA in 1973, and received her JD from the University of Missouri Kansas City Law School in 1977.

Lory Barsdate Easton



Lory Easton is a partner in the Product Liability and Mass Tort Litigation group in the Washington, DC office of law firm Sidley Austin LLP. Her practice focuses primarily on complex and mass tort litigation. Her broad range of experience includes pharmaceutical and blood products litigation and she has defended manufacturers in medical device matters.

She also has experience representing defendants in personal injury and wrongful death cases arising from airline accidents and coordinating toxic tort cases involving indoor air quality, such as alleged mold exposure. Ms. Easton is a member of the Sidley E-Discovery Task Force, for which she advises clients on legal issues relating to discovery and trains lawyers on e-discovery issues.

Ms. Easton received her B.A. from Yale College and her J.D. from Yale Law School. She is the author of an article and co-author of a book chapter on jurisdictional issues relating to aviation, and has been a seminar speaker on various torts topics. Prior to joining Sidley Austin she clerked for the Honorable José A. Cabranes, and the Honorable Ralph. K. Winter.

Catherine M. Valerio Barrad



Catherine M. Valerio Barrad is a partner in the Complex Commercial Litigation, Products Liability, Data Privacy and Supreme Court and Appellate practice groups at Sidley Austin LLP. She previously served as law clerk to the Honorable Douglas H. Ginsburg, U.S. Court of Appeals for the District of Columbia Circuit.

She focuses on complex civil litigation, including state and national class actions, consumer fraud, products liability, securities fraud, intellectual property, and data privacy litigation. Her past professional experience includes serving as national and regional counsel in connection with federal multidistrict litigations and state court coordinated proceedings in California and Nevada. She has worked on cases regarding consumer fraud and unfair competition, privacy issues, and writs and appeals in the Seventh, Ninth, Third, and the Federal Circuit.

Ms. Valerio Barrad was awarded the Wiley W. Manuel Award for Pro Bono Legal Services awarded by the Board of Governors of the State Bar of California. She is the author of many publications including, “Genetic Information and Property Theory,” (87 *Nw. U.L. Rev.* 1037, 1992). She is a member of the California Judicial Council’s Civil and Small Claims Advisory Committee, the Asbestos Litigation Working Group, and the Los Angeles County Bar Association.

William J. Snape III



Professor Snape is the Director of Adjunct Development and a Fellow in Environmental Law at American University’s Washington College of Law where he is a Practitioner in Residence. He is a Senior Counsel to the Center for Biological Diversity, and focuses on global warming, endangered species, and public lands conservation. He is also the Vice Chair of the American Bar Association (TIPS) Committee. Professor Snape is currently serving as Chairman Emeritus of the Board for the Endangered Species Coalition, and is a member of the US President’s Trade and Environment Committee (TEPAC).

Previously, Professor Snape served as Vice President and Chief Counsel at Defenders of Wildlife for all domestic and international programs. He supervised an over fifty case litigation docket, covered many successful claims under federal legislation, as well as many international cases. He also supported the development of the organization’s presence in Canada and Mexico. Professor Snape served as a counsel at Defenders of Wildlife as well, working as a congressional lobbyist for the Endangered Species Act reauthorization and appropriations issues.

As an adjunct professor at the University of Baltimore School of Law, Professor Snape taught environmental law courses, focusing on natural resource conservation law and international environmental law. He also worked as a staff attorney at Concern, Inc in 1990. In this position, he researched and analyzed international, federal, and local laws and policies relating to global climate change. He also co-authored “Global Warming and Energy Choices,” along with providing legal advice on other publications.

Professor Snape received his BA *magna cum laude* from the University of California at Los Angeles (UCLA) in 1986, and his JD from the George Washington University in 1989. He is the author of many publications including, “Radical Environmental Change in the Polar Regions is the Globe’s Wake-up Call,” (Sustainable Development Law and Policy, 2008), “Cutting Science, Ecology and Transparency Out of the National Forest Management System:

How the Bush Administration Uses the Judicial System to Weaken Environmental Laws,” (Environmental Law Reporter and Analysis, 2003), and “Anatomy of an Environmental Scapegoat” (AGA, 2002).

Thomas W. Swegle

Thomas Swegle is a Senior Counsel in the Law and Policy Section of the Environment and Natural Resources Division of the US Department of Justice. He is the recipient of the John Marshall Award for the Preparation or Handling of Legislation.

Jeffrey S. Lubbers



Jeffrey S. Lubbers was appointed Professor of the Practice of Administrative Law at American University’s Washington College of Law in 2009, after being a Fellow in Law and Government since 1996. He specializes in Administrative Law and related courses. He has also taught at the University of Miami School of Law, and has been a Visiting Professor at Washington and Lee University School of Law, the Georgetown University Law Center, Melbourne University, Ritsumeikan University Law School in Japan, the University of Ottawa, and the Australian National University. He has an A.B. degree from Cornell University and a J.D. from the University of Chicago Law School, and is a member of the bars of the State of Maryland and the District of Columbia.

Prior to joining American University, he served in various positions with the Administrative Conference of the United States (ACUS), the U.S. Government’s advisory agency on procedural improvements in federal programs until its closure by the 104th Congress in 1995. From 1982-1995 he was ACUS’ Research Director—a position in the Senior Executive Service. Since ACUS’s reopening in 2010, he has served as special counsel, and Acting Research Director from January-June, 2012.

He served as Team Leader for Vice President Gore’s National Performance Review team on Improving Regulatory Systems in 1993. He is the author of the ABA’s *Guide to Federal Agency Rulemaking* (5th ed. 2012), has co-authored the *Administrative Procedure Sourcebook* (4th ed. 2008), and serves as the editor for the ABA’s annual *Developments in Administrative Law and Regulatory Practice* (13 volumes from 1998-2011).

Alejandro Posadas

Alejandro Posadas is the Representative of the Ministry of the Environment at the Mexican Embassy of the United States. He previously served as the Director of Juridical Studies of the Centro de Investigación y Docencia Económicas (CIDE), one of Mexico’s most important

centers of teaching and research in the social sciences. He was also an associate attorney at the law firm of Thomas and Partners. He received his BA from The Universidad Nacional Autonoma de Mexico, and his JD from Duke University in 2003.