



Eric L. Klein

Principal

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Eric makes complex subjects simpler.

He is an environmental litigator in the Boston office of Beveridge & Diamond, with a national practice representing major companies and municipalities in a wide variety of matters including environmental and mass torts, class actions, and federal citizen suits under environmental statutes including the Clean Water Act, the Safe Drinking Water Act, CERCLA, and the Clean Air Act. He has handled cases in state and federal courts throughout the United States, litigating complex civil and commercial matters before juries, trial and appellate courts, arbitrators and administrative tribunals. He specializes in challenging and defending technical experts in complex environmental litigation.

Eric's litigation practice encompasses a broad range of environmental matters, including environmental citizen suits, the prosecution and defense of groundwater and site contamination cases, the defense of odor nuisance class actions, and CERCLA cost recovery and allocation. In particular, Eric has defended some of the most significant environmental citizen suits filed in recent times, including the successful resolution of a \$4 trillion Clean Water Act citizen suit filed against a major U.S. transportation company and the successful ongoing defense of landmark drinking water litigation in Newark, N.J.

As a law student, Eric argued before U.S. Supreme Court Justice Samuel Alito, who recognized Eric with "Best Oralist" and "Best Brief" awards. Following law school, Eric clerked for the Honorable Robert I. Richter at the Superior Court of the District of Columbia. Eric is especially proud of his longstanding service on B&D's Pro Bono Committee, and he maintains an active pro bono practice.

Eric's core professional belief spans his careers in education and law: success lies in making complex subjects simpler.

Eric is not admitted to practice in Massachusetts. He is admitted to practice only in Maryland, Virginia, and Washington, DC.

Education

- George Washington University (B.A., *summa cum laude*, 2000)
 - Political Science

- Northwestern University (M.S., 2003)
 - Journalism
- George Washington University (J.D., *cum laude*, 2008)
 - Jacob Burns Award for Excellence in Oral Advocacy

Bar Admissions

- District of Columbia
- Maryland
- Virginia

Court Admissions

- U.S. Court of Federal Claims
- U.S. Court of Appeals - First Circuit
- U.S. Court of Appeals - Third Circuit
- U.S. Court of Appeals – Fourth Circuit
- U.S. Court of Appeals - D.C. Circuit
- U.S. District Court – District of Columbia
- U.S. District Court – Eastern District of Virginia
- U.S. District Court - Maryland

Professional Affiliations

- Maryland State Bar Association

Honors & Awards

- *Super Lawyers, part of Thomson Reuters, Washington, DC, Rising Star (2014-2019)*

Representative Matters

Eric's significant litigation outcomes include:

- Serving as co-lead counsel and handling plaintiff and defense expert causation witnesses in a defense verdict in a 6-week federal court trial that returned a verdict of no liability for a major global manufacturer in a \$12 million cost recovery case involving cleanup of PCBs in a historically industrial area of Boston.

- Persuading a Washington, DC, court to enter one of the first preliminary injunctions in the country to enjoin cigarette smoking in a residential rowhouse on the basis of structural defects that caused heavy smoke to flow regularly into the interior of a neighboring property.
- Defending a client in cross-claims resulting in a complete indemnification for judgment and defense from a fuel company of the owner of a gasoline service station in a \$1 billion claim for damages from groundwater contamination following a fuel spill in Maryland.
- Obtaining dismissal of a putative commercial class action where a plaintiff attempted to bring a cause of action against a title company based solely on professional rules governing the practice of law in Delaware.
- Obtaining dismissal of asbestos-related common law and statutory claims against the owner of a residential apartment complex and enjoined the plaintiff from further action against Eric's client.

Outside the Office

Eric's life outside the law mostly involves building furniture, playing the occasional game of chess, and singing Disney songs with his daughter. Additionally, throughout his career, Eric has worked consistently to maintain side jobs as a teacher in some form. For many years, he was a Professorial Lecturer in Law at The George Washington University Law School, teaching appellate and trial advocacy. He also taught chess to elementary and middle school students at the KIPP AIM Academy and served on the Advisory Board of Chess Challenge in D.C.; a nonprofit focused on academic achievement through chess instruction. Before that, Eric taught and tutored high school students in English and math during college and law school.

Publications

December 28, 2020

EPA Revises Lead and Copper Rule for the First Time in Three Decades

Beveridge & Diamond

December 3, 2019

Ruling in First CWA Case to Rely on EPA's Interpretive Statement on Groundwater Releases

Beveridge & Diamond

March 26, 2019

U.S. Supreme Court Denies Certiorari on Class Certification Issue

Beveridge & Diamond

March 7, 2019

Sixth Circuit Halts Qualified Immunity Claims for Bodily Integrity of Flint Residents

Beveridge & Diamond

September 2018

Massachusetts Environmental and Land Use Alert

Beveridge & Diamond

May 2018

Toxic Tort and Product Liability Quarterly

Beveridge & Diamond

February 16, 2018

EPA Sees New Challenges Ahead for Superfund

Beveridge & Diamond

February 2018

Toxic Tort and Product Liability Quarterly

Beveridge & Diamond

November 2017

Toxic Tort and Product Liability Quarterly

Beveridge & Diamond

August 2017

Toxic Tort and Product Liability Quarterly

Beveridge & Diamond

July 14, 2017

DC Circuit Invalidates Part of the RCRA Definition of Solid Waste

Beveridge & Diamond

May 2017

Toxic Tort and Product Liability Quarterly

Beveridge & Diamond

April 5, 2017

Natural Resource Damages: A New Approach To PCB Litigation

Law360

March 9, 2017

Circuit Splits: A Hidden Trap In 'Federal Question' MDLs

Law360

Spring 2017

Does the Dose Still “Make the Poison” under *Daubert*?

Natural Resources & Environment

February 2017

Toxic Tort and Product Liability Quarterly

Beveridge & Diamond

August 4, 2016

First-Ever Federal Labeling Requirements for Bioengineered Foods Signed Into Law

Beveridge & Diamond

August 2016

Toxic Tort and Product Liability Quarterly

Beveridge & Diamond

May 2016

Toxic Tort and Product Liability Quarterly

Beveridge & Diamond