



## Harold L. Segall

Principal

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1900 N Street, NW, Suite 100, Washington, DC, 20036

### **Hal has a proven and winning trial and appellate litigation record, with 35 years of experience in federal and state courts throughout the U.S.**

His practice encompasses environmental claims, mass tort litigation, and related commercial and real estate cases.

While Hal focuses primarily on litigation, he also applies his litigation background to negotiating protective contractual provisions in transactions involving environmental matters, and to resolving associated regulatory issues.

Hal is active in the community, both as a lawyer and volunteer. He serves as pro bono General Counsel of the Environmental Law Institute in Washington, DC., and litigates pro bono civil rights cases. He served for more than 15 years as Co-Chair of the firm's Pro Bono Committee—a period in which the firm received numerous awards for its pro bono work. He is immediate past Co-President of Adat Shalom Reconstructionist Congregation, in Bethesda, MD.

Hal served multiple terms as Chair of the firm's Litigation group and member of its Management Committee, which oversees all firm management and compensation matters. He is married with two daughters and competes in Olympic distance triathlons.

### **Education**

- Yale University (B.A.)
- University of Chicago (J.D.)

### **Bar Admissions**

- District of Columbia
- Pennsylvania

### **Court Admissions**

- U.S. Supreme Court
- U.S. Court of Appeals - D.C. Circuit
- U.S. Court of Appeals - Second Circuit

- U.S. Court of Appeals - Third Circuit
- U.S. Court of Appeals – Fourth Circuit
- U.S. Court of Appeals - Sixth Circuit
- U.S. Court of Appeals - Ninth Circuit
- U.S. Court of Appeals – Tenth Circuit
- U.S. District Court – District of Columbia
- U.S. District Court – Eastern District of Pennsylvania
- U.S. District Court – Colorado
- U.S. District Court – Western District of Tennessee

### **Professional Affiliations**

- American Bar Association
- Defense Research Institute, Member
- Washington Lawyers Committee for Civil Rights Under Law, Trustee
- Whitman Walker Health Legal Services Program, Steering Committee, Going the Extra Mile Benefit, 2012-2015; Co-Chair 2012-2013

### **Honors & Awards**

- *Super Lawyers, part of Thomson Reuters, Washington, DC, Super Lawyer (2013-2020)*
- *The Legal 500, recognition in Environmental Law (2013-2015)*

## **Representative Matters**

Hal's representative litigation experience includes:

- Winning a case in U.S. District Court for the District of New Jersey relating to alleged cleanup costs and natural resource damages arising from a pipeline release, and also winning a contractual indemnification claim against a co-defendant, resulting in reimbursement of client's legal fees and costs.
- Winning a case in U.S. District Court for the Southern District of Alabama involving alleged environmental and human health risks and violations of the federal Resource, Conservation, and Recovery Act, and also winning a contractual indemnification claim against a third party, resulting in an award of client's legal fees and costs.
- Winning a citizens suit brought by citizens groups under the federal Resource Conservation and Recovery Act against an energy company in the U.S. District Court for the District of Columbia.

- Defeating class certification in a mass tort case involving thousands of putative plaintiffs in federal court.
- Winning a case in U.S. District Court for the District of Delaware based on a ruling that our client, a large corporation, bore no environmental liability for the waste disposal of its subsidiary, a polypropylene manufacturer, resolving a number of legal issues as to what level of involvement a parent company can have with its subsidiary's environmental matters without triggering environmental liability and obtaining prior rulings dismissing contractual indemnification claim and other state law claims.
- Winning a case in U.S. District Court for the Northern District of New York and on appeal to the United States Court of Appeals for the Second Circuit where both courts held that our client, which owned and operated an oil storage terminal, had no liability under U.S. or New York law for contamination of the Utica Harbor and vicinity, setting precedent regarding the scope of statutory defenses under a federal statute and the scope of liability under that statute, as well as the burden of proof under a New York environmental statute.
- Winning a pre-trial dismissal of a lawsuit brought in U.S. District Court for the District of Colorado by the State of Colorado and a third-party claim brought in the same court by a private party in a related case based on alleged contamination from mining activities of a former subsidiary of our client in Colorado.
- Winning a case in U.S. District Court for the District of Oregon, involving alleged fraud, contract, and environmental claims relating to the sale of a mercury mine, setting precedent under federal Superfund statute and State hazardous waste law and favorably settling after dismissal of all but one count upheld on appeal to United States Court of Appeals for the Ninth Circuit.
- Winning a case in U.S. District Court for the District of Maryland based on a ruling that a public school system failed to provide a disabled nine-year-old child with the free and appropriate educational program required under federal law.
- Defeating an insurer's challenge to insurance coverage and obtained a highly favorable settlement in a toxic tort case in D.C. Superior Court involving lead issues on behalf of commercial real estate owners and property manager.
- Negotiating a favorable settlement early in discovery of toxic tort suit based on allegations of leukemia and death arising from claimed exposure to manufactured gas plant waste.
- Negotiating favorable settlements in multiple cases in multiple jurisdictions arising from environmental, construction, contract and tort claims relating to alleged releases from underground storage tanks, on behalf of both plaintiff and defendant property owners.
- Resolving regulatory enforcement on behalf of owner of 500 unit buildings arising from contractor negligence and negotiating settlement with contractor's insurance carrier.
- Negotiating a favorable settlement of a dispute over liability for allegedly deficient asbestos survey undertaken for a developer in Colorado, after initiating an informal, pre-litigation process, avoiding litigation fees and costs.

- Defense of mass tort cases arising from alleged environmental exposures in state court in multiple jurisdictions.
- Obtaining favorable settlements reached in multiple cases in West Virginia involving design and construction deficiencies relating to municipal wastewater treatment facilities.