



Kathryn E. Szmuszkovicz

Principal

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Kathy litigates and provides strategic regulatory counsel.

Kathy litigates (both proactively and in defense) on behalf of individual companies, groups of companies and trade associations in federal and state courts across the country. She also provides alternative dispute resolution (ADR), compliance, strategic planning, and commercial services focused on the regulatory aspects of her clients' businesses. Kathy's practice focuses on clients who manufacture, sell, and use products regulated by EPA, USDA, FDA, DOI, DOC, and analogous state agencies under the environmental, health, and safety laws that these agencies implement.

In particular, Kathy works with clients in the agricultural sector (including pesticides and seeds businesses), and food, chemicals, and consumer products industries. This includes traditional products and products produced through biotechnology or nanotechnology. Examples of her work include:

- Bringing or defending litigation where necessary to protect clients' products, projects, or practices.
- Advising clients on strategies for obtaining federal approvals for new products or substances, defending products once they are on the market, and phasing out products for regulatory or commercial reasons.
- Advising clients who manufacture, sell, license, or use these regulated products on government requirements and commercial transactions.
- Defending companies against enforcement actions.
- Proposing and commenting on regulatory and legislative initiatives.
- Supporting acquisition or sale of particular products or businesses.
- Advising on stewardship and sustainability practices.

Kathy has litigated in federal courts across the country, including the United States Supreme Court, and has represented clients in every EPA region and many states. She has advocated for clients in ADR proceedings, including ADR mandated by statute, mini-trials and other ADR designed by parties to resolve disputes privately without court intervention, and mediation.

Kathy served for six years on the Board of Directors of a privately held company that discovers, manufactures, and sells proprietary chemicals. She is currently serving her fifth three-year term on B&D's Management Committee and has served for many years as the chair or co-chair of the firm's pesticides and biotechnology practices. Before her legal career, Kathy served in federal and Michigan state government.

Education

- Kalamazoo College (B.A., *cum laude*, 1977)
- University of Michigan (J.D., 1984)

Bar Admissions

- District of Columbia
- Michigan

Court Admissions

- U.S. Supreme Court
- Michigan Supreme Court
- U.S. Court of Appeals - D.C. Circuit
- U.S. Court of Appeals - First Circuit
- U.S. Court of Appeals - Second Circuit
- U.S. Court of Appeals - Fourth Circuit
- U.S. Court of Appeals - Sixth Circuit
- U.S. Court of Appeals - Ninth Circuit
- U.S. District Court - District of Columbia
- U.S. District Court - Middle District of North Carolina
- U.S. District Court - Western District of Tennessee
- U.S. District Court - Puerto Rico

Honors & Awards

- *The Best Lawyers in America*®, a *Best Lawyers* publication, recognition in Environmental Litigation (2013-2020)
- *Super Lawyers*, part of *Thomson Reuters*, Washington, DC, Super Lawyer (2015-2019)
- *The Legal 500*, recognition in Environmental Litigation (2019)