



## Megan R. Brillault

Principal

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477 Madison Avenue, 15th Floor, New York, NY, 10022-5835

**Megan represents individuals, trade associations and businesses, including Fortune 500 companies, in complex civil and criminal environmental and toxic tort litigation, including class and mass actions.**

Versed in the complexities of e-discovery, Megan helps clients implement cost-effective and fast-paced litigation solutions for all phases of discovery through post-trial proceedings. She also promotes diversity and inclusion within the firm and the legal community, working with the Leadership Council on Legal Diversity and various women's organizations.

A cornerstone of her practice includes helping clients in their pursuit and/or defense of cost recovery and contribution actions by private parties as well as federal and state governments under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and related state laws, including the New York Navigation Law and the New Jersey Spill Act. In addition, Megan defends clients in toxic tort and product liability litigation as well as class and mass action litigation. Megan's experience includes groundwater and subsurface contamination issues involving a wide variety of contaminants including PCE, TCE, PCBs, 1,4-dioxane, and lead, among others. She also represents policyholders in insurance coverage disputes under various types of policies, including CGL, D&O and pollution policies. To enhance her arbitration and mediation skills, Megan participates in a formal ADR training program that seeks to increase diversity among ADR neutrals.

- University of Arizona (B.S., *cum laude*, 1999)
  - Ecology and Evolutionary Biology
  - Renewable Natural Resources
- Pace University (J.D., *magna cum laude*, 2003)

### Bar Admissions

- New York
- District of Columbia

## **Court Admissions**

- U.S. Supreme Court
- U.S. Court of Appeals - Second Circuit
- U.S. Court of Appeals - Third Circuit
- U.S. District Court – Eastern District of New York
- U.S. District Court – Northern District of New York
- U.S. District Court – Southern District of New York
- U.S. District Court – Western District of New York

## **Professional Affiliations**

- New York State Bar Association
- American Bar Association
- Leadership Council on Legal Diversity Fellow (2015)
- National Association of Women Lawyers, co-chair of the Litigation Affinity Group

## **Honors & Awards**

- *Super Lawyers, part of Thomson Reuters*, New York Super Lawyer (2013-2018)
- *The Legal 500*, recognition in Environmental Litigation (2017-2019)
- *Chambers and Partners – USA*, "Attorney to Watch," in Environmental Law (2014-2015)
- *Super Lawyers, part of Thomson Reuters*, New York Rising Star (2012)

## **Representative Matters**

*Prior results do not guarantee future outcomes.*

Megan's experience includes:

- Representing a major chemical company in a toxic tort and product liability litigation brought by the largest water district in the U.S. for allegedly contaminating its water supply wells with 1,4-dioxane.
- Defending major corporation in mass action involving toxic tort and product liability claims associated with the use and land application of biosolids.
- Representing a major waste management company in several class and mass actions for toxic tort and nuisance claims related to the operations of landfills in several states.
- Obtaining a multi-million dollar settlement on behalf of a shopping center owner in a CERCLA cost recovery and New Jersey Spill Act action against a former dry cleaning operation.

- Successfully defending a municipality in a AAA arbitration against petitioner's claims seeking over \$5 million based on a contract to construct a waste-to-ethanol facility.
- Obtaining a dismissal, in federal district court and on appeal to the Second Circuit, of a CERCLA action seeking contribution for a \$50 million cleanup of an allegedly contaminated historical lead smelter and mining area.
- Defending a chemical company in a CERCLA cost recovery action seeking alleged damages associated with the clean-up of hazardous waste at a chemical-manufacturing facility.
- Defending a Fortune 500 corporation against multi-million dollar CERCLA cost recovery claims for soil led contamination based on historical operations at the site.
- Successfully defending a power plant operator in a combined state and federal criminal investigation involving allegations of multiple violations of the Clean Air Act and obtaining a favorable settlement in a AAA arbitration filed by the owner seeking over \$8 million in damages.
- Defending several New York Navigation Law and New Jersey Spill Act actions involving alleged contamination from USTs and historical operations.
- Challenging the constitutionality of New York City's recycling and product take-back mandates on behalf of a coalition of electronics trade groups and manufacturers.

## Outside the Office

Megan balances her workload by keeping an active lifestyle. In 2011, Megan achieved a lifelong goal of finishing the Lake Placid Ironman in just over 13 hours (which consists of a 2.4-mile swim, 112-mile bike, and 26.2-mile run).