



Megan R. Brillault

Principal

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Megan is an experienced, results-driven environmental and toxic tort litigation attorney.

Megan is a national leader in defending class and mass action environmental and toxic tort litigation. *American Lawyer* awarded her Runner-Up for Litigator of the Week for her work securing dismissal of a major class action in Pennsylvania and in defending removal to federal court of four class action lawsuits in Louisiana, and she was recognized by the publication for her work in a case in the Southern District of Florida, in which the judge denied class certification in a suit involving 20,000 commercial waste collection customers across the state, having highlighted significant variation in the underlying contracts.

In addition to her national practice in nuisance and class action defense, Megan specializes in cost recovery and contribution actions under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and related state laws, and toxic tort and product liability defense. Megan's groundwater and subsurface contamination experience involves 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 legal liability policies.

This year, Megan was invited to join the American College of Environmental Lawyers. Megan is also an active member of Lawyers for Civil Justice, an organization that seeks to improve the procedural fairness and efficiency of the U.S. civil litigation system. Megan previously chaired the firm's Litigation practice group for seven years. In addition, she promotes diversity and inclusion within the firm and the legal community, leading committees within the Leadership Council on Legal Diversity and various women's organizations. Megan participated in a pilot arbitration and mediation training program that sought to increase diversity among ADR neutrals. She is an AAA-trained mediator and currently serves as an arbitrator for FINRA.

Prior to joining the firm, Megan served as a law clerk to the Honorable Charles L. Brieant, United States District Judge in the Southern District of New York.

Education

- 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. Court of Appeals – Fifth Circuit
- U.S. Court of Appeals – Eleventh 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

- American College of Environmental Lawyers (2023 Fellow)
- Lawyers for Civil Justice
- Leadership Council on Legal Diversity Fellow (2015)
- National Association of Women Lawyers, co-chair of the Litigation Affinity Group
- New York State Bar Association
- American Bar Association

Honors & Awards

- Recognition in *Who's Who Legal – Environment & Climate 2023*, a publication of Lexology (2023)
- *The Best Lawyers in America*®, a Best Lawyers® publication, recognition in Environmental Law (2024)
- *American Lawyer*, Runner-Up Litigator of the Week, (March 2019, October 2021)
- *Super Lawyers*, part of Thomson Reuters, New York Super Lawyer (2013-2023)
- *The Legal 500*, recognition in Environmental Litigation (2017-2019, 2021-2023)

- Next Generation Partner for Environmental Litigation
- *Chambers and Partners – USA*, "Attorney to Watch," in Environmental Law (2014-2015)
- *Chambers and Partners – USA*, ranked Band 4 in Environmental Law (2023)
- *Super Lawyers, part of Thomson Reuters*, New York Rising Star (2012)

Representative Matters

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).