



## Nessa Horewitch Coppinger

Principal

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**Nessa focuses her practice on complex environmental litigation, including multi-district litigation and multi-party product liability.**

Clients rely on Nessa to help them solve their most complicated, expensive, and intractable problems. She has led significant trial court and appellate matters, including federal appeals, to a successful conclusion. She has experience with a range of high-stakes litigation, including mass environmental claims, coordinated litigation with federal government entities, class action, and single-party litigation. Nessa also counsels on and litigates matters involving the National Environmental Policy Act (NEPA). In addition, she counsels clients on compliance with regulations related to lead-based paint in housing.

Nessa has achieved favorable results for FORTUNE® 100 companies, states, and counties in federal and state courts throughout the country. She litigates federal and state statutory claims, as well as common law tort claims, with particular experience in product liability and nuisance claims. She has played a leading role in large joint defense groups and in coordinated litigation with federal and state governments, as well as in smaller single-party litigation matters.

Examples of Nessa's experience include:

- Obtaining a unanimous decision from the D.C. Circuit in a precedent-setting case regarding modification of an injunction under NEPA.
- Securing summary judgment in the U.S. District Court for the District of Columbia defending the Bureau of Reclamation's NEPA review of a \$250 million water infrastructure project on behalf of the State of North Dakota.
- Serving as one of the lead lawyers on a team defending numerous products liability and toxic tort cases related to alleged groundwater contamination involving a gasoline additive in both federal and state courts, briefing novel issues regarding the scope of a state's authority to bring claims on behalf of its citizens for the New Hampshire State Supreme Court.
- Successfully defeating class certification on behalf of an oil refiner client in a proposed statewide class action in federal court against numerous refiners involving alleged damage to boats from certain fuels.

- Representing a coke plant in a lawsuit alleging Clean Air Act and Resource Conservation and Recovery Act citizen suit claims as well as state common law tort claims.
- Advising developers of water infrastructure on the NEPA process and issues arising under NEPA (including invasive species), including the preparation of a full Environmental Impact Statement.

Nessa chairs the firm's Diversity and Inclusion Committee. She serves as the Book Editor for the American Bar Association's Environmental Litigation Committee, and she also served several terms as the co-chair of the Environmental Law Forum of the Women's Bar Association of Washington, DC.

### **Education**

- Emory University (B.A., *magna cum laude*, 1998)
  - History, Political Science, and Human and Natural Ecology
- University of Virginia (J.D., 2003)

### **Bar Admissions**

- Colorado
- District of Columbia
- Virginia

### **Court Admissions**

- U.S. Court of Appeals - First Circuit
- U.S. Court of Appeals - D.C. Circuit
- U.S. Court of Appeals - Eighth Circuit
- U.S. District Court – Colorado
- U.S. District Court – District of Columbia
- U.S. District Court – Eastern District of Virginia
- U.S. District Court – Western District of Virginia

### **Professional Affiliations**

- American Bar Association
- Women's Bar Association of Washington, DC

### **Honors & Awards**

- *The Best Lawyers in America*®, a *Best Lawyers* publication, recognition in Environmental Litigation (2015-2019)

- *The Legal 500*, recognition in Environmental Litigation (2019)