



## Roy D. Prather, III

Principal

[rprather@bdlaw.com](mailto:rprather@bdlaw.com)

+1.410.230.1305

201 North Charles Street, Suite 2210, Baltimore, MD, 21201-4150

### **Roy maintains a national practice focused on complex environmental and commercial litigation matters and counseling on environmental justice.**

Roy represents businesses and public sector entities across a broad range of industry sectors in federal and state courts. He defends citizen suits and class actions involving toxic tort and product liability claims under federal environmental laws and state analogues, including the Resource Conservation and Recovery Act (RCRA), Safe Drinking Water Act, Clean Air Act, and Clean Water Act. He also represents clients in class actions and other consumer protection litigation involving green marketing and related allegations of greenwashing.

Roy advises clients on issues relating to regulatory compliance. He represents clients in indemnity and other commercial contract disputes relating to construction as well as contaminated site cleanup under the federal Superfund law (CERCLA). Roy also works with clients to proactively manage sensitive multi-stakeholder interactions related to environmental justice, including developing creative solutions to address environmental justice community concerns. Additionally, Roy assists clients in navigating administrative regulatory proceedings under various environmental laws and advises them on mitigating the risks of regulatory enforcement actions and litigation. He currently serves in firm leadership as a Member of the firm's Management Committee.

Roy prioritizes being an active member of his community. He joined the National Aquarium's Board of Directors in 2022 and is a member of the Aquarium's Conservation Education Advisory Group, where he facilitates the creation of conservation education programming focused on urban and ocean conservation for students within Baltimore City and the surrounding areas. Roy is also a founding member and serves on the Advisory Board of the Black BigLaw Pipeline, Inc., a non-profit comprised of senior Black attorneys established to promote positive outcomes for Black attorneys working in large law firms. Beyond legal-related roles, Roy contributes to his community through youth mentorship as a Big Brother for Big Brothers Big Sisters and as a mentor for Bridges Baltimore.

Roy also maintains a commitment to pro bono service. The Philadelphia Court of Common Pleas' Pro Bono Honor Roll recognized Roy for assisting indigent and homeless clients in resolving contract disputes and obtaining public benefits. Roy received a Certificate of Appreciation from the Judges of the Eastern District of Pennsylvania for his service with the Prisoner Pro Se Civil Rights Panel where he represented a prisoner in a civil rights case. Roy also provides pro bono representation in

various other areas of law, including unfair wage practice, immigration, and landlord/tenant matters.

## **Education**

- University of Pennsylvania (B.A., 2006)
  - International Relations
- Georgetown University (J.D., 2009)

## **Bar Admissions**

- Maryland
- New Jersey
- Pennsylvania
- District of Columbia

## **Court Admissions**

- U.S. District Court - Maryland
- U.S. District Court - New Jersey
- U.S. District Court – Eastern District of Pennsylvania
- U.S. Court of Appeals - First Circuit
- U.S. Court of Appeals - Third Circuit
- U.S. Court of Appeals – Fourth Circuit
- U.S. Court of Appeals – Seventh Circuit
- U.S. Supreme Court

## **Professional Affiliations**

- Defense Research Institute (DRI), Vice Chair of Toxic Tort and Environmental Law Committee
- Institute for Energy Law, Advisory Board
- International Association of Defense Counsel (IADC), Member
- Leadership Council on Legal Diversity, Pathfinder
- American Bar Association, Section of Environment, Energy, and Resources
- American Bar Association, Co-Chair of Environmental Subsection of Real Estate, Condemnation, and Trust Litigation Committee
- National Bar Association, Young Lawyers Division
- National Bar Association, Environmental, Energy & Public Utilities Law Section

## Honors & Awards

- 2022-2023 "Best Lawyers: Ones To Watch," a Best Lawyers® publication, for Environmental Litigation
- 2023 "Best Lawyers: Ones To Watch," a Best Lawyers® publication, for Environmental Law and Commercial Litigation
- *Super Lawyers*, part of Thomson Reuters, Maryland Rising Star (2023)
- *Lawdragon* Green 500: Leaders in Environmental Law (2023-2025)
- 2021 Minority Corporate Counsel Association Rising Star
- Institute for Energy Law, Young Energy Professionals Leadership Class (2019-2020)
- 2020 National Bar Association Young Lawyers Division Chairman's Award

## Representative Matters

Roy's experience includes:

- Securing the dismissal of a multi-million dollar citizen suit seeking to cease operations of energy company based on alleged RCRA violations
- Defeating administrative appeal to state trial court and then to intermediate appellate court challenging manufacturer's Clean Water Act discharge permit
- Successfully negotiating recovery of repair costs and lost profits in commercial dispute with contractor relating to construction of infrastructure for energy-generating facility
- Advising company on management of site cleanup under CERCLA (Superfund) and defense against potential contribution claims
- Obtaining dismissal of a case in New York state court involving alleged contract and environmental claims relating to a dispute over the removal of underground storage tanks
- Counseling energy company regarding Clean Air Act permit compliance and negotiating reduction of penalties related to past violations
- Winning emergency injunction enforcing class action settlement and dismissing pending claims against a large financial services company
- Negotiating favorable settlements for software company while managing its copyright enforcement and litigation efforts.