



## Susan E. Smith

Principal

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456 Montgomery Street, Suite 1800, San Francisco, CA, 94104-1251

### **Susan maintains a national litigation practice focused on toxic tort, drinking water contamination, and related insurance coverage.**

She defends environmental claims, counsels on environmental regulatory matters, advocates for companies before regulatory authorities and in investigations, and guides clients through incident response and clean up with a focus on minimizing the threat or impact of future litigation.

Susan has nearly 20 years of experience defending clients in various industries against claims alleging personal injury as a result of chemical or toxic exposures. She has litigated claims for Legionnaires' disease, chemical burns and inhalation, carbon monoxide poisoning, and exposure to lead, formaldehyde, mold, and other potentially harmful substances. She also advises on related insurance coverage issues and product liability claims.

Her experience includes representing clients facing Legionnaires' disease investigations, claims and lawsuits in more than 20 states. These efforts have resulted in favorable court rulings for her clients, including those affirmed in *Russell v. Call/D, LLC*, 122 A.3d 860 (2015).

### **Education**

- University of California - Santa Cruz (B.A., *with Honors*, 1993)
- Lewis & Clark (J.D., 1997)

### **Bar Admissions**

- California
- District of Columbia
- Maryland
- Pennsylvania
- Washington

### **Court Admissions**

- U.S. Court of Appeals - D.C. Circuit
- U.S. Court of Appeals – Fourth Circuit

- U.S. District Court - Maryland
- U.S. District Court – Eastern District of Michigan

### **Professional Affiliations**

- Maryland Defense Counsel Inc.: Chair, Lead Paint Committee, 2015; Board Member and Co-Chair, Negligence and Insurance Committee, 2008; Co-Founder and Co-Chair, First-Party Bad Faith Litigation Task Force, 2007
- Claims and Litigation Management Alliance, Co-Chair, Maryland/DC Local Chapter, 2012-2014

### **Community Involvement**

Susan acts as the Site Captain for Project Clean Stream, the largest cleanup event in the Chesapeake Bay region.

### **Honors & Awards**

- *The Legal 500*, recognition in Environmental Litigation (2019-2020)

## **Representative Matters**

Susan's experience includes:

- Obtaining a defense verdict in an environmental contamination case involving medical, scientific, and real estate issues, with damages upward of \$3 million.
- Obtaining a summary judgment order in favor of a defendant being sued on the basis that the plaintiff had allegedly contracted Legionnaires' disease due to negligent management of an apartment building.
- Favorably settling a product liability case involving mold and formaldehyde exposure in a recreational vehicle.
- Winning dismissal of claims against a commercial food establishment in a case involving 23 plaintiffs and their exposure to carbon monoxide, which resulted in permanent brain damage.
- Defending a distributor of industrial safety supplies in a 25-plaintiff case alleging silica and asbestos exposure.
- Defending a national bank in a bystander exposure asbestos case, resulting in favorable resolution.
- Favorably resolving multiple wrongful death and personal injury claims against a property manager stemming from a Legionnaires' disease outbreak at a senior housing project.

## Outside the Office

Susan enjoys kayaking in her free time and is happiest when she's in close proximity to the water.

## Publications

September 17, 2020

**EPA Proposes New, More Flexible Clean Water Act Affordability Guidance for Public Utilities**

Beveridge & Diamond

March 27, 2020

**EPA Policy Provides Enforcement Relief Where Needed Due to Pandemic**

Beveridge & Diamond

Updated March 10, 2020

**Coronavirus: OSHA Considerations for Employers**

Beveridge & Diamond