

Environmental and Toxic Torts

Gordon Arata Montgomery Barnett has one of the most sophisticated and successful environmental and toxic tort practices in the Southeast. We regularly assist businesses dealing with the environmental liabilities of their properties in light of today's more stringent environmental regulations. We advise clients on a wide variety of regulatory issues and litigation arising out of various federal and state environmental laws, including regulations by the Environmental Protection Agency, the Louisiana Department of Environmental Quality, the Louisiana Department of Natural Resources and the Occupational Safety and Health Administration.

We have successfully defended numerous clients in suits for environmental property damage or personal injury from exposure to toxic substances, including from oil and gas or waste disposal operations. We have represented a variety of defendants, ranging from working interest owners to mineral lessees and mineral servitude owners to operators, in suits for alleged damage caused by historical oil and gas exploration and production activities, commonly referred to as "legacy lawsuits." We also represent a several clients in land loss lawsuits, including those filed by a number of coastal parishes as well as private owners. In connection with purchase and sale agreements and other arrangements common in the mineral and land-use industries, our environmental lawyers routinely draft, negotiate and otherwise advise clients on complex contractual indemnity provisions for environmental claims and on environmental site assessments. Additionally, our environmental attorneys represent a variety of clients who face lawsuits in which plaintiffs allege personal injury, property damage and devaluation as a result of chemical exposure, release, and long- and short-term contamination.

We have obtained favorable outcomes for our clients in complex litigation matters through both careful negotiation and serious litigation. We handle a wide range of cases from class action and mass tort litigation, involving thousands of plaintiffs and extensive discovery, to cases involving single plaintiffs and minimal discovery. We know how to handle lengthy, complicated trials as well as when a low key, quick resolution is the best course. We strive to produce the best possible result for each client.

We have represented defendants in lawsuits involving the following areas:

- "Legacy" lawsuits
- Land loss

- Oil and chemical releases, spills and response
- Well “blow-outs”
- Remediation claims
- Groundwater contamination
- Regulatory compliance
- Product Liability
- Premises liability
- Asbestos exposure and claims management
- Silica exposure and claims management
- Formaldehyde exposure litigation
- Punitive damages claims defense
- Class action and mass tort litigation
- Maritime chemical exposure litigation
- OSHA claims and violations, including exposure to chemicals/hazardous materials
- Workers’ compensation claims, including exposure to chemicals/hazardous materials
- Hearing loss claims
- Railroad litigation, including crossing accidents, FELA, railcar releases and explosions

We have handled cases in state and federal courts in Louisiana including the heavily industrial parishes along the Mississippi River, such as St Charles, St. James, St. John the Baptist, St. Bernard, Jefferson, Orleans, West Baton Rouge and Plaquemines parishes. Our practice also has included cases in the state and federal courts in Mississippi and Texas.