

**San Francisco**

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San Francisco, CA 94111

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**PRACTICE AREAS**

- Environmental
- Litigation & Dispute Resolution
- Real Estate

**EDUCATION**

- J.D., University of California, Berkeley School of Law (Boalt Hall), 1980
- A.B., University of California, Berkeley, 1977, *phi beta kappa*

**BAR AND COURT  
ADMISSIONS**

- State Bar of California

# Robert D. Infelise

PARTNER

**OVERVIEW**

Bob is a senior trial attorney concentrating on high stakes disputes. In an era in which few matters actually go to trial, he has tried thirty-six matters to judgment. He handles matters in a broad range of substantive areas for institutions and entrepreneurs in the real estate industry, public utilities, financial institutions, investment banks, and high net-worth individuals.

**Tax-Related Matters**

Bob has represented taxpayers in connection with complex tax deferral and minimization strategies in the federal courts and before the Internal Revenue Service, the U.S. Department of Justice, and the California Franchise Tax Board. He recently represented high net worth clients against a major accounting firm stemming from its implementation and marketing of a tax deferral strategy; and obtained a favorable settlement before trial.

**Environmental Matters**

Bob has litigated environmental matters involving the federal Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), the federal Resource Conservation and Recovery Act (RCRA), state law analogues, California's Proposition 65, and common law claims. He was lead counsel for the lender and developer plaintiffs in one of the few environmental cost recovery actions tried to a jury. Bob was also actively involved on behalf of the developer plaintiff in the seminal California case focusing on stigma damages.

**Real Estate-Related Matters**

Bob has represented developers, lenders, syndicators, and investors in the full range of disputes arising in the real estate industry. He is one of the leading attorneys in the use of judicial reference as a mechanism for potential defendants to avoid jury trials.

**Electrical Generation**

Bob also focuses on issues involving electrical generation and supply. He represented the commercial building industry in proceedings before the California Public Utilities Commission relating to creating a competitive platform to provide power to office buildings. Bob negotiates electrical supply contracts for end users.

**Teaching Experience**

In addition to his trial practice, since 1994 Bob has served on the faculty at the U.C. Berkeley School of Law (formerly Boalt Hall). He teaches Environmental Law and Policy; The Law of Hazardous Waste: CERCLA, RCRA and Common Law Claims; the Environmental Law Writing Seminar; the Workshop on Development and the Environment; and Remedies. In 2003, he was named the interim director of Berkeley Law's highly-ranked environmental law program. From 2009 to 2010, Bob served as the acting executive director of Berkeley Law's

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Center for Law, Energy and the Environment, and currently serves as the chairperson of its Advisory Committee. In 2013, he was named a John and Elizabeth Boalt Lecturer.

## **PUBLICATIONS & SPEAKING ENGAGEMENTS**

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### Recent Publications

*California's State-Run Carbon Auctions - A Taxing Matter*, Daily Environment Report, 8/20/2013

*A Review Of Legal Challenges To California's Greenhouse Gas Cap-And-Trade Regulations*, Westlaw Journal, 3/27/2013

*California's Greenhouse Gas Cap-And-Trade Regulations—Who Is Suing And Who Isn't*, Electric Light & Power, 12/17/2012

*Foreword, Annual Review of Environmental and Natural Resource Law*, Ecology Law Quarterly, 2003-2013 editions

### Recent Speaking Engagements

*Addressing Nitrate in California's Drinking Water*, U.C. Davis School of Law California Water Law Symposium, 1/23/2013

*Climate Policies: In Our Backyard And Abroad*, Richard And Rhoda Goldman Graduate School Of Public Policy, U.C. Berkeley, November 2012

*Richmond On Fire: The Refinery Explosion*, U.C. Berkeley School Of Law, November 2012

*Pending And Anticipated Legal Challenges, Cap-and-Trade: Getting Ready For The First Auction Seminar*, Law Seminars International, 7/23/2012

*Wasting The Valley: Discriminatory Siting Of Hazardous Waste Disposal*, Environmental Justice Symposium, U.C. Berkeley School of Law, February 2012

*NIMBYs and Rights of Way*, Center For Environmental Public Policy, Goldman School Of Public Policy, U.C. Berkeley, 12/2/2010

*Enforcing Judgments*, Center For International Executive Legal Education, U.C. Berkeley School of Law 11/19/2010

*The Green Chemistry Revolution: A New Paradigm For Reducing and Managing Hazardous Wastes*, California & The Future of Environmental Law & Policy Conference, California Center For Environmental Law & Policy, April 2008

## **AWARDS & AFFILIATIONS**

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### Awards & Recognitions

- John and Elizabeth Boalt Lecturer Award, 2013

### Professional Affiliations

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- Center for Law, Energy and the Environment Advisory Committee, Chairperson
- Foundation of the State Bar, Board of Directors
- Association of Business Trial Lawyers
- State Bar of California, Environmental Section
- Bar Association of San Francisco, Environmental Section

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