



THE STATE BAR OF CALIFORNIA
ENVIRONMENTAL LAW SECTION
PRESENTS

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Hours MCLE Credit



PRIVATE ENFORCEMENT OF ENVIRONMENTAL LAW

Prosecuting and Defending Citizens' Suits

FRIDAY, JUNE 25, 2010

Elihu Harris State Building

1515 Clay Street

Oakland, CA 94612

REGISTRATION

8:00 a.m.

PROGRAM

9:00 a.m. – 5:00 p.m.

Register Online: www.calbar.org/enviro

PROGRAM SCHEDULE

GENERAL SESSION

8:00 a.m.

Registration

9:00 a.m. – 9:15 a.m.

Opening Remarks by Co-Chairs

Speakers Robert “Perl” Perlmutter, *Shute, Mihaly & Weinberger LLP, San Francisco*
Danielle Fugere, *Friends of the Earth, San Francisco*

9:15 a.m. – 10:30 a.m.

ABC's: Practical Aspects of Prosecuting Citizens' Suits

The panelists will discuss important issues relating to getting a case into court and keeping it there. The discussion will focus on key state and federal environmental statutes, including CEQA, NEPA, CWA, RCRA and Prop. 65, and will discuss common defenses, and recent development in the law.

Speakers Richard Drury, *Lozeau | Drury LLP, Alameda (Moderator)*
Debbie Sivas, *Stanford Law School, Palo Alto*
Sarah Owsowitz, *Cox, Castle and Nicholson, LLP, San Francisco*

10:30 a.m. – 10:45 a.m.

Break

10:45 a.m. – 12:00 p.m.

CEQA and Greenhouse Gas Emissions

Global warming continues to be a critical and controversial issue under CEQA. The panelists will discuss the new CEQA Guidelines addressing greenhouse gas emissions, as well as recent developments in the case law and the efforts of the Attorney General's office to ensure that cities and counties adequately address greenhouse gas emissions in their general plan updates. Proposed legislative amendments to CEQA will also be discussed.

Speakers Janill Richards, *California Attorney General's Office, Oakland (Moderator)*
Matt Vespa, *Center for Biological Diversity, San Francisco*
Chris Calfee, *Best, Best & Krieger, Walnut Creek*
Jim Moose, *Remy, Thomas & Moose, LLP, Sacramento*

12:00 p.m. – 1:00 p.m.

Lunch (provided)

1:00 p.m. – 1:30 p.m.

Keynote Speaker Felicia Marcus, *NRDC, San Francisco*

1:30 p.m. – 3:00 p.m.

Quick Hits: Updates on Proposition 65, Environmental Justice, and SLAPP's

Each panelist will provide a “quick hit” update on recent trends and developments involving one of the following: Proposition 65, environmental justice litigation, and the anti-SLAPP statute.

Speakers Robert “Perl” Perlmutter, *Shute, Mihaly & Weinberger LLP, San Francisco (Moderator)*
Susan Firing, *California Attorney General's Office, Oakland*
Marybelle Ngozi Nzegwu, *Center on Race Poverty & Environment, San Francisco*

3:00 p.m. – 3:15 p.m.

Break

3:15 p.m. – 4:45 p.m.

Use of Traditional Mandamus, Taxpayer Standing, and other Pioneering Enforcement Tools

In recent years, environmental and community groups have increasingly relied on non-environmental laws to secure standing and obtain enforcement of environmental laws that lack effective citizen suit provisions. This panel will focus on the use of the traditional mandamus statute (CCP § 1085), taxpayer standing, and other innovative mechanisms to enforce environmental laws. The panel will also address recent legal developments that have limited citizen suit standing, such as Proposition 64, and pending legislative and initiative proposals to limit citizen enforcement of CEQA.

Speakers James Wheaton, *Environmental Law Foundation, Oakland (Moderator)*
Jamee Patterson, *California Attorney General's Office, San Diego*
Robert C. Goodman, *Rogers Joseph O'Donnell, San Francisco*

4:45 p.m.

Conclusion and Wrap Up

REGISTRATION INFORMATION

PRE-REGISTRATION DEADLINE:

The deadline to pre-register is June 18, 2010.

ON-LINE REGISTRATION:

Register online at www.calbar.org/enviro.

Online registration closes after June 18, 2010.

MAIL:

Mail to Program Registration, State Bar of California,
180 Howard Street, San Francisco CA 94105.

FAX:

Fax to (415) 538-2368. In order to fax your registration, credit card information is MANDATORY. We accept Visa/MasterCard only. (No other credit card will be accepted.) Photo copies of checks will NOT be accepted.

CANCELLATIONS & REFUNDS:

Requests must be received in writing by June 18, 2010.

A \$25 processing fee will be charged. No refunds after June 18, 2010.

ON-SITE REGISTRATION:

On-site registration is subject to availability.

Call to confirm space availability.

SPECIAL ASSISTANCE:

For special assistance call (415) 538-2582.

AUDIO CD'S:

Audio CDs of the program will be available with a complete set of written materials from Versa-Tape. To order please call 1-800-468-2737.

MCLE:

The State Bar of California and the Environmental Law Section are State Bar of California approved MCLE Providers.

QUESTIONS:

For registration information call (415) 538-2508. For information regarding the program call (415) 538-2582.

Private Enforcement of Environmental Law: Prosecuting and Defending Citizens' Suits

June 25, 2010 • Elihu Harris State Building • 1515 Clay Street, Oakland

REGISTRATION FORM

Note: One registrant per form. Photocopies may be used.

Bar Number: _____

Name: _____

Firm: _____

Firm Address: _____

City, State: _____ Zip Code: _____

Phone Number: _____ Fax Number: _____

Email Address: _____

(Required for email confirmation)

Your name and address may be disclosed. ___ Check here if you do not want your information released.

REGISTRATION FEES (due by June 18, 2010)

- \$125 Environmental Law Section Members
- \$200 Non-Section Members
(includes enrollment in the Environmental Law Section for 2010)
- \$125 Government/Non-Profit Attorney
- \$25 Students, General Public (without continuing education)

AMOUNT ENCLOSED OR TO BE CHARGED \$ _____

CREDIT CARD INFORMATION (VISA/MasterCard Only)

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Deadline: In order to pre-register, your form and check, payable to The State Bar of California, or credit card information, must be received by June 18, 2010.

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