

THE GALLAGHER LAW GROUP

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Timothy V. P. Gallagher, Esq.

Timothy Gallagher is the founder of The Gallagher Law Group which initially specialized in business and environmental litigation. He has represented a variety of clients from public entities to waste management companies. Tim has also developed a significant mediation practice as described further below.

Tim has extensive environmental law experience in air, water, toxic substances, mining, Superfund, CEQA and hazardous waste issues ranging from litigation to compliance counseling. He has also developed sophisticated risk transfer and financial mechanisms for long-term remediation and operation and maintenance facilities. He successfully designed, negotiated, documented and closed the largest environmental liability transfer arrangement to date on behalf of the State of California in the matter Iron Mountain Mines (approximately one billion dollars over thirty years).

Tim has represented parties in many complex matters. A sampling is as follows: California Department of Toxic Substances Control v. Brighton Oil Company (Contribution action involving oil waste site in Sacramento County.); American States Water Company v. Aerojet-General Corporation (Contribution action involving the contamination of the Arden Cordova Basin in Sacramento County.); Shell Chemical Company v. County of Los Angeles (CERCLA cost recovery action.); Abel v. Lockheed Martin (Toxic tort matter related to the Burbank/Glendale area Superfund site in Los Angeles County with over 3,500 plaintiffs.); Babich v. Cadillac Fairview/California and Kidwell v.

Montrose Chemical (Toxic tort matters related to the Del Amo Superfund site in Los Angeles County.); Austin v. Stringfellow (Toxic tort matter related to the Stringfellow site.); Westway Terminal Company v. Envirosource (Contribution action for an environmental cleanup in the Port of Los Angeles area.); Carson Harbor Village v. City of Carson (CERCLA cost recovery action.); Zesati v. City of Los Angeles; Thompson v. City of Los Angeles; and Estate of Morales v. Texaco (Toxic tort matters concerning a housing development.); and Transportation Leasing v. State of California (CERCLA cost recovery action. Negotiated the Fourth and Fifth Partial Consent Decrees; collectively eighty million dollars.).

Tim also has a significant mediation practice. Some of the recent settlements are as follows: Boy Scouts of America's Chapter 11 (Sexual abuse stretching over decades.); The Boeing Company and State of California (Developed a comprehensive framework that establishes clean-up protocols and timelines for Santa Susana Field Laboratory. The site was used to develop and test rocket engines, small-scale nuclear reactors, and chemical lasers.); Duke Energy Carolinas LLC, et al. v. AG Insurance Limited et al. (Duke Energy environmental claims arising from coal ash.); Valeant Stock Drop matter in the United States and Canada (Claims brought against Valeant and its officers and directors after a significant drop in stock); and Veolia North America, et al. v. Great American, et al. (Involving the design, supply and commission of an evaporation and crystallization system for an advance stage solution potash mine constructed in Canada).

A sampling of other mediations is the following: Alfredo Jiminez Flores, et al. v. RSR Corporation, et al. (Toxic tort action brought by approximately 1,400 plaintiffs in Texas concerning hazardous wastes allegedly generated by a recycling operation in El Florido, Mexico. This matter involved issues such as forum non-conveniens, lead exposure, Daubert/Havner, insurance and related issues.); Pfeifer et al. v. Wawa,

Inc. (E.D. Pa) (Addressing ESOP, ERISA and D&O issues); Sun Capital Partners v. Twin City et al. (USDC) (Various Mervyn's related entities were sued for fraudulent conveyance and breach of fiduciary claims.); The San Diego Unified Port District v. ExxonMobil Oil Corporation et al. (Dispute over the responsibility for the causation, investigation and remediation of the contamination of marine sediments and landside.); Philip Services Corporation Georgetown, Facility (Environmental insurance dispute); (Lawry's Foods, Inc. (The remediation of the Lawry's California Center.); R.T. Nahas v. Unocal (Involving RCRA, insurance, contribution allocation, bankruptcy and property damage issues.); Axiom Medical, Inc. v. Accusil, Inc. (Products liability case involving catheter blanks used as a surgical drain.); Macklanburg-Duncan Co. of California v. C. R. Alexander (The cleanup of a National Priorities List site.); Security Life of Denver v. Weldon Ferguson (A class action involving approximately 9,000 plaintiffs concerning alleged vanishing premium policies and related issues.); Minnesota Mining and Manufacturing Co. v. Dart Industries, et al. (Involving CERCLA, RCRA, insurance, and various property damage issues.); Agron, Inc. v. Chien-Lu Lin, et al. (Involving patent infringement and antitrust claims regarding 3-D designs or logos on adidas caps and related products.); Pacific Coast Building Products, Inc. v. National Union Fire Insurance Company of Pittsburgh et al., USDC, Western District of Washington at Seattle, (Insurance coverage and settlement structure issues concerning a putative class action involving the manufacturing of allegedly defective roof shingles.); and Laura Buckwald, et al. v. Bankers United Life Assurance Co., Ltd. (A class action involving approximately 19,000 plaintiffs concerning private pension plans.).

Tim is a graduate of the University of Southern California and Loyola Law School. He is a member of Phi Beta Kappa.