
Committed to
Addressing the
Financial Perils
Associated with
Environmental
Contamination



We believe the essentials of life – our water supply, the air we breathe, the soil in which we grow our food – are so fundamental to our existence. In America, chemical companies are allowed to proceed with massive production of their products without regulators understanding the fate of those chemicals once they are placed in the stream of commerce or the effects on those that may be exposed. As a result, Public Entities across America end up facing the financial burden of dealing with various chemicals that find their way into publicly owned systems such as drinking water, wastewater, stormwater and real property. Our collective goal is to assist Public Entities in grappling with the financial burdens that result from such contamination.



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“Water is the essence of life and we are so fortunate to have the opportunity to represent and assist clients who are impacted by contaminated water.”

- Scott Summy

The nationally recognized attorneys from Baron & Budd, P.C. and Loncar Lyon Jenkins along with Cossich Sumich Parsiola & Taylor, LLC, known together as the PFAS Litigation Group, are actively representing those affected by PFAS contamination across the nation. These clients include states, public and private drinking water providers, wastewater treatment facilities, airports, fire training facilities, and property owners.


The lawyers and staff with the PFAS Litigation Group are experienced in representing these entities in contamination cases. The PFAS Litigation Group first teamed up on the BP oil spill case, by

serving in court-appointed leadership roles and representing clients who were impacted by the spill. Our attorneys know the technical environmental regulations and laws and the complicated legal issues involved in these cases.

Our commitment to assisting our clients who are left with the financial burdens of chemical contamination has continued for over 40 years as we have achieved unprecedented results and recovered billions of dollars for our clients. We are proud to lead the charge in many high-profile cases, taking on oil giants and major companies.



We are not traditional environmental lawyers; we are trial lawyers pursuing environmental torts on behalf of our clients.



Manufacturers who know or should have known their toxic chemicals would contaminate the environment and create a public health hazard, but promote those products anyway, can be held liable for products liability or public nuisance.

AQUEOUS FILM-FORMING FOAM (AFFF)

Perfluorooctanoic acid (PFOA), and perfluorooctane sulfonic acid (PFOS) are man-made chemicals within a class known as perfluoroalkyl acid (PFAA). PFAAs are part of the larger chemical family known as per- and polyfluoroalkyl substances (PFAS). These chemicals are used to create many nonstick, stain resistant, and waterproof products. These are also the chemicals used in the manufacturing of AFFF.

AFFF is a water-based firefighting agent used to control and extinguish Class B fuel fires and is used in many locations like military bases, airports, petroleum refineries, and fire training centers. Since the 1960s, several companies have manufactured, marketed, and sold AFFF knowing that it contained toxic chemicals that would be released into the environment when used by consumers as recommended. The carbon-fluorine bond in PFAS is one of the strongest known bonds, which is the reason these chemicals are so persistent in the environment. PFOA and PFOS are highly water soluble, which increases the rate at which they spread throughout the environment, contaminating soil, groundwater, surface water, and wastewater. Because

of this persistence, PFAS chemicals are frequently referred to as “forever chemicals.” These companies failed to notify consumers of the potential hazards to the environment related to these products. Many facilities and organizations have been using AFFF in the methods recommended and promoted by the AFFF manufacturers, completely unaware that the product was contaminating their property and water.

The AFFF manufacturers had the technology to produce AFFF with safer chemicals from as early as the 1960s. However, these manufacturers knowingly chose to make and sell AFFF with PFOA and PFOS. Cities, towns, and neighborhoods surrounding locations where AFFF was utilized have reported contaminated water and soil in their communities.

Chemical manufacturers can be held liable for their negligence. Litigation against these companies has resulted in the recovery of billions of dollars that has helped toward the cost of cleanup efforts. It is crucial that chemical companies are held accountable so we can stop the spread of these forever chemicals in our environment.



EPA'S LATEST RESPONSE TO PFAS

On June 15, 2022, the EPA released four drinking water health advisories for PFAS. EPA issued interim, updated drinking water health advisories for PFOA and PFOS that replace those EPA issued in 2016. For the first time, EPA issued final health advisories for perfluorobutane sulfonic acid and its potassium salt (PFBS) and for hexafluoropropylene oxide (HFPO) dimer acid and its ammonium salt (“GenX” chemicals).

The new EPA health advisories are:

- PFOS - 0.02 ppt (Parts Per Trillion)
- PFOA - 0.004 ppt
- GenX - 10 ppt
- PFBS - 2,000 ppt

The proposed MCLs are forthcoming from the EPA.

REGULATIONS

How Can an Attorney Help?

The PFAS Litigation Group is currently investigating areas of known AFFF applications to learn more about the concentration of potential contaminants in the groundwater, soil, wastewater, and the surrounding environment. Our environmental attorneys are talking to property owners with known historical use of AFFF on or near their property. We will meet with you for free to discuss your potential case.

Seeking the guidance of an attorney is extremely important in these types of cases.

Our attorneys can assist clients with soil and groundwater sampling, sample analysis by an industry-leading lab, research into use of legacy foams, and expert investigation into the potential

impacts of PFAS contamination on surrounding areas.

The lawsuits filed for AFFF contamination seek to recoup the costs associated with:

- Drinking water, wastewater, groundwater, and/or soil treatment and remediation
- Past and future testing of contaminated areas

The PFAS Litigation Group consists of plaintiff law firms working on a contingency basis. This means that clients will never have to pay up front for the services provided to them. If the case is successful, the law firm will receive a percentage of the award. If it is not successful, the client does not owe the firms anything.



ADVANTAGES OF THE MDL

- Nearly 4 years in
- Full Discovery of the Manufacturing Defendants: over 100 depositions taken
- Defendant and third-party overall document productions: approximately 4,600,000 documents and 37,400,000 pages
- Court Denied Summary Judgment Motion on the Government Contractor Immunity Defense - Sept. 16, 2022
- First Public Water Provider Bellwether Trial settled for \$10.2B in June 2023
- Court Appointed Mediator
October 26, 2022: Hon. Layn Phillips

A background image showing firefighters in full gear, including helmets and jackets, using high-pressure water cannons to fight a large fire. The scene is filled with bright orange and yellow flames and white steam or water spray. The firefighters are positioned in the foreground and middle ground, with one firefighter on the right holding a red water cannon. The overall atmosphere is one of intense action and emergency response.

CONTACT US

Many public and private entities, including public and private water providers, wastewater treatment facilities, airports, and fire training facilities are coming forward with concerns about PFAS contamination on their property. If you have used AFFF or own water wells or property near an area that has, please contact the PFAS Litigation Group to learn more about your legal options.

800-285-4878

OUR LAW FIRMS



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PROTECTING WHAT'S RIGHT[®]

With more than 40 years of experience, Baron & Budd has the expertise and resources to handle complex litigation throughout the United States.

As a law firm that takes pride in remaining at the forefront of litigation, Baron & Budd has spearheaded many significant cases for hundreds of entities and thousands of individuals. Baron & Budd has been repeatedly selected by The Legal 500 as one of the country's premier law firms in mass tort claims and class action litigation. Since the firm was

founded in 1977, Baron & Budd has achieved substantial national acclaim for its work on cutting-edge litigation, trying hundreds of cases to verdict and settling tens of thousands of cases in areas of litigation as diverse and significant as dangerous and highly addictive pharmaceuticals, defective medical devices, asbestos and mesothelioma, California wildfires and environmental contamination, fraudulent banking practices, e-cigarettes, motor vehicles, federal whistleblower cases, and other consumer fraud issues.



Based in Louisiana, Cossich, Sumich, Parsiola and Taylor, LLC represents our clients in a wide array of environmental matters, including wetland and habitat protection, legacy oilfield contamination, and toxic torts.

We also have extensive experience in complex litigation, often fighting against multinational corporations who have harmed our clients.

In the BP Oil Spill Multidistrict Litigation, our lawyers were chosen to serve on the Plaintiffs' Steering Committee and Plaintiffs' Science Committee because of our history of obtaining justice.

In the current AFFF MDL, both Christina Cossich and Philip Cossich, Jr., have once again been selected to serve leadership roles on the Plaintiffs' Executive Committee.

LONCAR LYON JENKINS

ATTORNEYS AT LAW

WE KNOW LOCAL GOVERNMENT, AND WE'RE ON YOUR SIDE.



Clay Lewis Jenkins | David Brown | Ted Lyon

Clay Lewis Jenkins is a NACo member and an outspoken advocate for healthcare equity and environmental justice. Clay is recognized as one of the top 100 trial lawyers in America by the National Bar Association. He, along with former Texas Sen. Ted Lyon, also one of our country's preeminent top trial lawyers, are partners in Loncar Lyon Jenkins law firm. Former Dallas Police Chief, and Chicago Police Superintendent, Chief David Brown is Loncar Lyon Jenkins non lawyer Chief Operating Officer.

Together, Ted, Clay and David have over 60 years in government service and have steered the law firm to strategically challenge bad actions by corporations and to obtain desirable results for local governments and their residents.



THE STRONG ARM TEAM



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OUR LAW FIRMS REPRESENT NUMEROUS PUBLIC ENTITIES IN THE MDL THAT INCLUDE:

Alabama

- Belforest Water System
- City of Loxley

Alaska

- State of Alaska

Arizona

- City of Tempe
- City of Prescott
- Town of Prescott Valley

California

- California Water Services
- Bakman Water Company
- Monterey Peninsula Airport District
- Santa Clarita Valley Water Agency
- San Bernardino International Airport Authority
- Sacramento County
- Sacramento County Water Agency

- Sonoma County
- City of San Jose
- City of Pleasanton
- San Joaquin County
- City of Pico Rivera
- City of Bell Gardens
- City of Downey
- City of Santa Barbara
- San Jose Water Company
- City of Whittier
- Zone 7 Water Agency
- City of Adelanto
- Alameda County Water District
- City of El Monte
- City of Clovis
- City of Manteca
- San Diego County
- City of Burbank
- City of Lathrop
- City of South Gate

Colorado

- South Adams County Water & Sanitation District
- City of Fountain

Connecticut

- Connecticut Water Company

Florida

- Emerald Coast Utilities Authority
- City of Lauderhill
- City of Plantation
- Pasco County
- Monroe County
- Hillsborough Community College
- City of Zephyrhills
- North Collier Fire Control & Rescue District
- Immokalee Water and Sewer District

Idaho

- City of Boise

Illinois

- City of Galesburg

Louisiana

- England Economic & Industrial Development District
- Iberia Parish Airport Authority
- Lakefront Management Authority
- Calcasieu Parish Police Jury
- City of Ruston
- City of Monroe
- New Orleans Aviation Board
- City of Lake Charles
- City of Shreveport
- City of Natchitoches

Maryland

- City of Salisbury
- Town of Chestertown
- Town of Poolesville
- City of Taneytown

OUR LAW FIRMS REPRESENT NUMEROUS PUBLIC ENTITIES IN THE MDL THAT INCLUDE:

Massachusetts

- Town of Barnstable
- Town of Bellingham
- Town of Danvers
- Town of Falmouth
- North Raynham Water District
- Raynham Center Water District
- Town of Webster
- Town of West Bridgewater
- Town of Millis
- Town of Ayer
- Town of Uxbridge
- Sandwich Water District
- Lunenburg Water District
- Abington/Rockland Joint Water Works
- Town of Norwell
- Town of Avon
- Town of Ware
- Town of Walpole
- Town of Holliston
- Town of Milford
- Town of Chatham

- Cotuit Fire District
- Hanson Water Department
- Town of Marshfield
- Town of Peabody
- Town of Rehoboth
- Town of Salisbury
- Town of Sterling
- Town of Tewksbury
- Town of Scituate
- Town of Norwell
- Upper Cape Regional Water Supply Cooperative
- Applewood Community Corporation
- Ayer Road Properties, LLC

Mississippi

- State of Mississippi

Missouri

- City of St. Louis

New Jersey

- Borough of Branchville
- Burlington Township

North Carolina

- Town of Maysville
- City of Lumberton
- Robeson County
- Greensboro Well Owners?

Ohio

- City of Wilmington
- City of Portsmouth
- City of Mansfield
- City of Bellbrook
- Village of Bridgeport
- City of Fairborn

Oregon

- Port of Portland

Pennsylvania

- Coraopolis Water & Sewage Authority
- County of Bucks
- Borough of West Chester
- Delaware County
- Delaware County District Attorney's Office

- Bucks County District Attorney's Office
- Primos-Secane-Westbrook Park Fire Company
- Haverford Township

Rhode Island

- Town of Cumberland

South Carolina

- Charleston County Aviation Authority

South Dakota

- City of Sioux Falls
- Sioux Falls Regional Airport Authority
- City of Watertown

Texas

- Individual Well Owners near the Randolph AFB

Washington

- City of Tacoma

Wisconsin

- Dane County