

ANNUAL CONFERENCE

prop.65clearinghouse

MONDAY, SEPTEMBER 24, 2018

JULIA MORGAN BALLROOM

1:30 to 2:30

Business Strategies for Prop. 65 Compliance

Moderator: **Michael Green**, CEO, Center for Environmental Health

Panel: **Scott Lesnet**, ES Manager, HNI Corp.

Dr. Tom Lewandowski, Principal, Gradient

Rick McNeil, Partner, Crowell & Moring

Renee Wasserman, Shareholder, Rogers Joseph O'Donnell

Description

The changes released in August 2018 to Prop 65 warning requirements led many companies to preemptively assess their responsibilities under the statute. For many companies, the number of products and raw materials that must be evaluated is considerable. This panel will discuss strategies to help companies negotiate compliance along the distribution chain.

Bios

Michael Green

CEO, Center for Environmental Health

Michael Green is Chief Executive Officer at the Center for Environmental Health (CEH) which he founded in 1996. CEH is a leading advocate for comprehensive chemical policy, and uses both a carrot and stick to change corporate behavior in order to protect people from illnesses related to pollution in our air, water, products and food. CEH has been hired by both corporations and government agencies to design policies that will protect the public from exposure to toxic chemicals.

Prior to founding CEH, Mr. Green designed a solid waste management plan for the Tibetan refugee community in Dharamsala, India, and cared for the sick at Mother Teresa's mission in Calcutta. He is a recipient of The California Wellness Foundation's Leadership Award, and has also been awarded the prestigious Compassion in Action Award for his work protecting children from lead by the Dalai Lama Foundation.

Mr. Green has worked in government in Washington DC at both the US Dept of Energy's

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Office of Environmental Management and the US EPA. He has an MPP in Public Policy and an MS in Natural Resources, both from the University of Michigan. He reports directly to his two direct supervisors: Dylan Green, born in 2007 and Juliette Green, born in 2008.

Dr. Tom Lewandowski
Principal, Gradient

Dr. Lewandowski is a toxicologist and chemist working in Gradient's Seattle, Washington office. He has over 30 years of experience in the areas of product safety evaluation, pharmacokinetics, metals toxicology, and developmental toxicology. He has helped numerous companies manage the requirements of California's Proposition 65, both in terms of proactive compliance (e.g., developing testing programs for Prop. 65 chemicals, developing safe harbor values for novel chemicals) as well as in responding to citizen suits. He is board certified as a toxicologist in both the US and Europe. He is an affiliate faculty member at the University of Washington School of Public Health where he lectures on toxicology and risk assessment.

He is the author of numerous publications related to risk assessment methods (in particular the use of computer models).

Rick McNeil
Partner, Crowell & Moring

Rick McNeil is a partner in the Environment & Natural Resources Group. Rick is a trial attorney with numerous jury, bench and administrative trials to his credit and is also proficient in general business, real estate, land use, environmental and probate matters.

Rick is a member of the American Law Institute, where he contributes to the current revision of the Restatement of the Law, 4th, Property. He is also a member of the Litigation Section and the Environment, Energy and Resources Section of the American Bar Association, the Litigation Section and the Environmental Law Section of the California State Bar and the Real Estate, Business Litigation and Environmental Law Sections of the Orange County Bar Association.

Rick was selected for inclusion in the Los Angeles rankings of Super Lawyers from 2004 through 2009 and was named one of Los Angeles Daily Journal's "Top 20 Under 40" in 1997.

He is the Chair Emeritus of the Pacific Chorale, a member of the Board of Directors of the Orange County Bar Association, the Chair of the Orange County Bar Association's Diversity Committee and on the Board of Directors for Legal Aid of Orange County.

Rick also has handled a number of civil rights and environmental justice cases involving land use, environmental and constitutional issues.

Rick is also an experienced mediator, having mediated many commercial, land use and environmental cases.

Rick's environmental experience spans nearly all aspects of federal and California law. He has been involved in the majority of Superfund sites (in some cases as the Chair of the PRP Group or its Legal or Allocation Committees) in Southern California, numerous RCRA sites throughout California, a wide range of Clean Water Act and Clean Air Act regulatory and enforcement matters, including dozens of matters before the SCAQMD, the DTSC, and the Los Angeles and Santa Ana RWQCB's, many Proposition 65 matters and advising companies on compliance and enforcement on other environmental matters, including TSCA and FIFRA. He has been involved in litigation, administrative hearings, rulemakings, and negotiations with these agencies on behalf of clients in the aerospace, chemical, petroleum, waste management and recycling, printing, steel, industrial dry cleaning, pyrotechnics, and general manufacturing sectors.

Renee Wasserman

Shareholder, Rogers Joseph O'Donnell

Ms. Wasserman is chair of the firm's Retail Industry Trade Regulation Practice Group and a member of the Complex Commercial Litigation and Environmental Law Practice Groups.

Ms. Wasserman's litigation practice focuses on defense of environmental and regulatory matters, including unfair competition, consumer protection, and Proposition 65 litigation for the retail industry. She has litigated multi-party cases, consumer class actions, and numerous private and public enforcement actions brought under state and federal consumer and environmental laws. She has litigated individual and class action cases involving consumer products, discrimination, antitrust, unfair business practices, false advertising, unfair competition, violation of state and federal regulations, consumer and environmental laws, challenges to local ordinances and vendor contract disputes. Ms. Wasserman regularly negotiates with regulatory and enforcement agencies on behalf of the companies she represents and has defended cases brought by public interest groups, the California Attorney General, District Attorneys and City Attorneys throughout the State.

Ms. Wasserman regularly advises retail clients on regulatory and business practices matters. She has repeatedly represented companies before the California Air Resources Board ("CARB") and the California Department of Alcoholic Beverage Control ("CABC"). Ms. Wasserman represents national and regional manufacturer, supplier and retailer business in both the application and litigation of Proposition 65 laws, state unfair competition and consumer protection laws, the Americans with Disabilities Act ("ADA") and Unruh Act equal access and web access claims, weights and measures, hazardous waste and alcohol beverage laws. She has advised and represented the California Grocers Association ("CGA") in litigation and regulatory matters, has provided comments for the state's Green Chemistry laws, and has worked with the State Office of Environmental Health Hazard Assessment ("OEHHA") in drafting proposed regulations for food warnings under Proposition 65.

Ms. Wasserman has tried cases to verdict before judges and juries in both state and federal courts and has argued before most of the California Courts of Appeal and the California Supreme Court. She is an associate member of the California Grocers Association and California Retailers Association and has taught trial advocacy skills as a faculty member of the National Institute for Trial Advocacy, Northeast Region. She is admitted to the United States Supreme Court and is a member of the State Bar's Antitrust and Unfair Competition Law Section.