



Brian E. Moskal

Partner

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Brian Moskal represents clients in environmental litigation and counseling matters with a focus on contaminated sites and water and wastewater issues. He also has experience with insurance recovery in the environmental context.

Brian provides litigation and counseling support to industrial companies, property owners, and municipalities regarding matters arising under the Clean Water Act (CWA), Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Resource Conservation and Recovery Act (RCRA), and California law.

Brian has worked on investigation and enforcement matters before the U.S. Environmental Protection Agency and California Regional Water Quality Control Boards. He is also experienced in state and federal litigation at all stages, including case assessment, filing of the complaint, discovery, motion practice, trial, and appeal.

Brian was a member of a team that won a full defense judgment for a municipal water and wastewater agency in a water rights contract lawsuit by the federal government in which the government alleged more than \$300 million in damages. Brian worked on all stages of the matter from discovery through trial and appeal.

Recently, Brian represented an agricultural chemical manufacturer and distributor in a multiparty coordinated proceeding in California state court involving groundwater contamination claims by more than a dozen municipal water agency plaintiffs.

Professional Affiliations

- [ProVisors](#) West Hollywood 1 Group
- [American Bar Association](#)
- [Los Angeles County Bar Association](#)
 - Committee Member, Diversity in the Profession Section

Awards

- *Chambers USA*, Up and Coming Lawyer in Environmental Law, 2021-2022

- Southern California Super Lawyers Rising Stars, 2012-2020

Bar Admissions

- California, 2005

Education

- University of California, Berkeley School of Law (J.D., 2005)
- University of Texas at Austin (BBA, *high honors*, 2002)
 - Business Honors and Management Information Systems

Environmental Experience

- Represented an industrial company and landowner in connection with sediment contamination at the Portland Harbor Superfund Site in Oregon
- Member of a team that defended through trial a municipal water and wastewater agency in a breach of contract action involving discharges of reclaimed water into a Clean Water Act-impaired water body; the case resulted in a complete defense judgment and was featured by the *Daily Journal* as a top 10 verdict for 2009
- Represented wastewater agency in connection with EPA enforcement action and consent decree, citizen lawsuits by environmental groups, and Clean Water Act secondary treatment waiver
- Defended an agricultural chemical manufacturer and distributor in California state court in a multiparty coordinated products liability proceeding involving more than a dozen municipal water agency plaintiffs asserting groundwater contamination-related claims against numerous pesticide manufacturers and distributors
- Defended a metals manufacturer and former landowner against groundwater contamination-related CERCLA and common law claims by water agencies and enforcement lawsuit by EPA resulting in consent decree
- Represented a Southern California city in connection with an enforcement action by the San Diego Regional Water Quality Control Board over issues with the city's wastewater treatment plant
- Successfully represented a municipal water agency seeking a consistency certification from the California Coastal Commission in connection with a Clean Water Act secondary treatment waiver
- Represent Northrop Grumman in insurance coverage lawsuit seeking costs incurred in responding to environmental enforcement litigation involving a site formerly operated by an entity acquired by Northrop.
- Assist several clients including real estate developers and buyers with procuring specialized pollution legal liability insurance policies to cover environmental claims.