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Climate Change, the Courts, and the Paris Agreement

September 26, 2018
Columbia University

Participant Biographies

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Participant Biographies

Susan E. Amron

Chief, Environmental Law Division, New York City Law Department

Susan E. Amron, the chief of the environmental law division of the New York City Law Department, has practiced environmental law for the city for more than 25 years. Amron is experienced in a wide variety of core municipal environmental issues, including climate change and resiliency, environmental impact review, creation and use of parkland, protection of drinking water, wastewater collection and treatment, hazardous materials management and brownfield remediation, and groundwater contamination. As the chief environmental lawyer of New York City, Amron counsels city agencies about the requirements of federal, state, and local environmental and land use laws and represents the city as both a plaintiff and a defendant in litigation involving a broad range of environmental and land use laws. Among other things, Amron oversees the City's legal efforts to hold fossil fuel companies responsible for the environmental impacts of fossil fuel use and to require EPA to regulate greenhouse gas emissions and base its decision-making on sound science. Amron served as the legal representative in the City's planning process to provide additional protections to City residents in the aftermath of Hurricane Sandy and continues to advise on the City's sustainability and resiliency efforts. Throughout the course of her career, Amron has been involved in several important environmental achievements, including the 1997 Memorandum of Agreement to protect the city's drinking water supply system and ground breaking \$105-million jury verdict in a lawsuit against ExxonMobil for contaminating the City's groundwater. Amron received her B.A. from Yale University in 1980 and her J.D. from Columbia Law School in 1984.

Michael Burger

Executive Director, Sabin Center for Climate Change Law, Columbia Law School

Michael Burger is the Executive Director of the Sabin Center for Climate Change Law. His research and advocacy focus on legal strategies to reduce greenhouse gas emissions and promote climate change adaptation through pollution control, resource management, land use planning and green finance. Michael frequently collaborates with researchers across Columbia's Earth Institute, and with local and national environmental groups, government representatives, and international organizations. He is a widely published scholar, a frequent speaker at conferences and symposiums, and a regular source for media outlets, including The New York Times, The Washington Post, Newsweek, Time, Forbes, The Guardian, Bloomberg, and Vox.com, and has been featured on Science Friday and Living on Earth. He currently serves as chair of the New York City Bar Association International Environmental Law Committee. Michael is a graduate of Columbia Law School and of Brown University. He also holds a Master of Fine Arts degree from the Creative Writing program at NYU.

Roberto Eugenio T. Cadiz

Commissioner, Philippine Commission on Human Rights

Commissioner Roberto Eugenio T. Cadiz obtained his bachelor's degree in Philosophy and Law from the University of the Philippines. He was appointed to the Commission on Human Rights of the Philippines on 2 July 2015. Prior to his appointment, he was a private law practitioner

specializing in litigation, while serving as Executive Director of a Lawyers' non-governmental organization. He has counselled in judicial-reform and public interest cases, including serving as one of the private prosecutors in the impeachment case against former Philippine Supreme Court Chief Justice Renato Corona. His prior affiliations include the Supreme Court appointments Watch (SCAW), the Transparency and Accountability Network (TAN), and Pera at Pulitika (PaP), a campaign finance monitoring network. Commissioner Cadiz is the focal commissioner on Sustainable Development Goals, Business & Human Rights, Environment, and International Humanitarian Law & Peace. He chairs the Commission's Inquiry Panel currently hearing a petition seeking to frame climate change as a human rights issue.

Abbie Dillen

Vice President of Litigation for Climate & Energy, Earthjustice

Abigail Dillen is the Vice President of Litigation for Climate & Energy at Earthjustice. Abigail leads the organization's litigation and legal advocacy to achieve the essential shift from fossil fuels to 100% clean energy. Before stepping into her current role, Abigail was the Managing Attorney of Earthjustice's coal program, which has played a central role in forcing the overdue retirement of coal-fired power plants around the country. She litigated many precedent-setting cases that have held polluters accountable and cleared the way for clean energy nationally. These wins include: requiring the U.S. Environmental Protection Agency to promulgate first-ever standards to govern disposal of coal ash and limit the wastewater discharge of toxic pollutants from coal-fired power plants; blocking a \$2 billion transmission project to transport dirty coal energy from the Ohio Valley to East Coast cities; blocking permits for new coal-fired power plants; and cutting off federal funding of new coal plants. Abigail came to Earthjustice in 2000. Working first out of our Northern Rockies Office in Bozeman, Montana, she worked to protect public lands and the many imperiled species that depend on them, including wolves, grizzly bears, and native trout. Abigail received her B.A. from Yale University and her law degree from the University of California, Berkeley, where she graduated Order of the Coif.

Caterina Freytag

Policy Advisor for Climate Litigation, Germanwatch

Caterina Freytag is working as policy advisor for Climate Litigation at Germanwatch, an independent non-governmental organization which supports pioneer lawsuits of the most vulnerable to climate change as a leverage for political solutions. As highly qualified jurist she currently acts as German focal point of the "people's climate case" and thereby provides research support to the legal team. Her recently completed legal clerkship has been focused on Environmental law including stations at the German Federal Environmental Agency and the Legal Enforcement Unit of the Directorate-General for Environment at the European Commission. She further holds a Master's degree in political science and history.

Michael Gerrard

Andrew Sabin Professor of Professional Practice, Columbia Law School, Columbia University

Michael B. Gerrard is Andrew Sabin Professor of Professional Practice at Columbia Law School, where he teaches courses on environmental and energy law and directs the Sabin Center for Climate Change Law. He is also immediate past chair of the Faculty of Columbia's Earth

Institute. Before joining the Columbia faculty in January 2009, he was partner in charge of the 110-lawyer New York office of Arnold & Porter LLP. He practiced environmental law in New York City full time from 1979 to 2008 and tried numerous cases and argued many appeals in federal and state courts and administrative tribunals. He formerly chaired the American Bar Association's 10,000-member Section of Environment, Energy and Resources. He has served as a member of the executive committees of the boards of the Environmental Law Institute and the American College of Environmental Lawyers. Gerrard is author or editor of thirteen books, two of which were named Best Law Book of the Year by the Association of American Publishers. His latest book is *Legal Pathways to Deep Decarbonization in the United States* (co-edited with John Dernbach), being published later this year.

David J. Hayes

Executive Director, State Energy & Environmental Impact Center, NYU School of Law

David J. Hayes is a nationally recognized environmental, energy and natural resources lawyer who leads the State Energy & Environmental Impact Center at NYU School of Law. Hayes is an Adjunct Professor at NYU School of Law, and a visiting lecturer at Stanford Law School, consulting professor at Stanford's Woods Institute for the Environment, and research scholar at Stanford's Precourt Institute for Energy. He previously served as the Deputy Secretary and Chief Operating Officer at the Department of the Interior for Presidents Bill Clinton and Barack Obama (1999-2001; 2009-2013). Hayes is a member of Pacific Gas & Electric Company's Sustainability Advisory Council; the board of directors for the Coalition for Green Capital; the advisory council of Stanford's Bill Lane Center for the American West; and founder of the [US Wildlife Trafficking Alliance](#). Before and between his service in the Clinton and Obama administrations, Hayes worked in the private sector as a partner and global chair of the Environment, Land & Resources department at Latham & Watkins, an international law firm. Hayes graduated summa cum laude from the University of Notre Dame and received his JD from Stanford Law School, where he served as notes editor of the *Stanford Law Review*.

Mary Anne Hitt

Director, Beyond Coal Campaign, Sierra Club

Mary Anne Hitt directs the Sierra Club's Beyond Coal Campaign, which has been recognized as one of the most successful environmental campaigns in history. The campaign works to replace coal with clean energy by mobilizing grassroots activists in local communities. Mary Anne was listed in 2015 as one of the POLITICO 50, POLITICO's list of visionaries transforming American politics. She has made numerous media appearances on outlets ranging from Good Morning America to National Public Radio, and was featured in the National Geographic film *From the Ashes* and their Emmy-winning series *Years of Living Dangerously*. She is also co-host of the climate storytelling podcast *No Place Like Home*. Mary Anne previously served as the executive director of grassroots organizations including Appalachian Voices, and she is a graduate of the University of Montana the University of Tennessee. She grew up in the mountains of east Tennessee and now lives with in West Virginia with her family.

Tessa Khan

Co-Director, Climate Litigation Network, Urgenda Foundation

Tessa Khan is Co-Director and co-founder of the Climate Litigation Network, a project of the Urgenda Foundation. She has spent most of the last decade working as an international human rights lawyer and advocate at the intersection of development policy and human rights concerns. She has worked on behalf of regional and international women's rights movements; advised governments on human rights-based approaches to development; and supported litigation in regional and national fora. She has published widely on human rights, climate change and development and is admitted to legal practice in Australia. She has degrees in law from the University of Oxford and the University of Western Australia.

César Rodríguez Garavito

Executive Director, Dejusticia

César Rodríguez-Garavito is Executive Director of the Center for Law, Justice, and Society (Dejusticia) and founding Director of the Program on Global Justice and Human Rights at the University of the Andes (Colombia). He has been a visiting professor at Stanford University, Brown University, the University of Pretoria (South Africa), American University in Cairo, the Getulio Vargas Foundation (Brazil) and Central European University. He is a board member of *WITNESS*, the *Business and Human Rights Resource Center*, *OpenGlobalRights* and the *Business & Human Rights Journal*. He is the founding director of the *Human Rights and writes a weekly op-ed for El Espectador*. His publications include *Business and Human Rights: Beyond the End of the Beginning* (Cambridge University Press, ed); *Radical Deprivation on Trial: The Impact of Judicial Activism on Socioeconomic Rights in the Global South* (Cambridge Univ. Press, coaut.); and *Compliance with Socioeconomic Rights Judgments* (Cambridge, coed.), among many others. He has been an Adjunct Judge of the Constitutional Court of Colombia. He holds a Ph.D. and an M.S. (Sociology) from University of Wisconsin-Madison, an M.A. from NYU's Institute for Law and Society, an M.A. (Philosophy) from the National University of Colombia, and a J.D. from University of the Andes.

Vic Sher

Partner and Co-Founder, Sher Edling LLP

Vic Sher has spent his career developing and prosecuting unparalleled legal strategies to protect people and the planet. Since 1998 he has focused on representing public agencies as plaintiffs in complex, high impact, environmental lawsuits. In 2009, Vic served as New York City's lead outside trial counsel in *City of New York v. ExxonMobil*, a federal jury trial over MTBE contamination in Queens that resulted in a verdict for the City of \$104.7 million. His team was recognized as a Public Justice Trial Lawyer of the Year finalist. Vic previously practiced with the public interest law firm Earthjustice (then known as the Sierra Club Legal Defense Fund) from October 1986 until June 1997, including as its President from 1994 to 1997. The American Lawyer called some of his work during this period among the "most important public lands management litigation in this country's history." The ABA Journal noted that Vic's lawsuits caused a "dramatic new direction in forest policy" for tens of millions of acres of federal forests, "forcing an end to business as usual." Vic was named one of the top 500 lawyers in the U.S. in 2011 by Law Dragon, and has been a Northern California Super Lawyer since 2005. He received a Pew Scholarship in Conservation and the Environment in 1992, and shared the Natural Resources Council of America Award of Achievement for Policy Activities in 1993. The American Lawyer Magazine named him to its 1997 "Public Sector 45," a list of "45 young lawyers outside the private sector whose vision and commitment are changing lives." He

received his law degree in 1980 from Stanford Law School, where he was a member of the Law Review.

Lemuel Srolovic

Environmental Protection Bureau Chief, New York State Office of the Attorney General

Lem Srolovic is the Bureau Chief of the Environmental Protection Bureau in the office of the New York State Attorney General. The bureau enforces state and federal environmental laws in state and federal courts, defends state agencies when sued on environmental matters, and recovers hazardous waste remediation costs expended by the state. Before his appointment to lead the Environmental Protection Bureau, Lem represented people harmed by toxic chemicals as an attorney with Weitz & Luxenberg in New York City. Lem also served in the New York Attorney General's office as a Section Chief of Affirmative Litigation in the Environmental Protection Bureau, where he led an environmental enforcement group. Before first joining the Attorney General's office, Lem was a partner at Sive, Paget and Riesel, a New York City-based environmental law firm. At Sive Paget, Lem represented businesses, industry and individuals in environmental litigation and other matters. Lem received his law degree from New York University School of Law, where he was Editor in Chief of the NYU Journal of International Law & Politics. Following law school, Lem clerked for the Honorable Robert G. Doumar, Senior U.S. District Judge for the Eastern District of Virginia.

Sheldon Whitehouse

Senator, Rhode Island

U.S. Senator Sheldon Whitehouse is fighting to reduce carbon pollution, protect our air and water, and position America as a leader in the clean energy economy. As a member of the Senate Environment and Public Works Committee, he plays a key role in crafting policies addressing climate change and environmental protection. Senator Whitehouse co-founded the Senate Climate Action Task Force to help build support for action to reduce carbon pollution. Whitehouse has also introduced legislation to put a fee on carbon, establishing a market incentive to reduce emissions while generating substantial revenue to be returned to the American people. In 2011, Sen. Whitehouse joined with Democrats and Republicans to form the Senate Oceans Caucus to respond to the pressures of pollution and commercial activity. He has also passed legislation establishing a National Oceans and Coastal Security Fund, a dedicated funding source for ocean and coastal research and restoration. A graduate of Yale University and the University of Virginia School of Law, Whitehouse served as Rhode Island's U.S. Attorney and state Attorney General before being elected to the United States Senate in 2006. In addition to Environment and Public Works, he is a member of the Budget Committee; the Judiciary Committee; and the Finance Committee.

Mary Wood

Philip H. Knight Professor of Law, University of Oregon

Mary Christina Wood is a Philip H. Knight Professor of Law at the University of Oregon and the Faculty Director of the law school's nationally acclaimed [Environmental and Natural Resources Law Center](#). She is an award-winning professor and the co-author of leading textbooks on public trust law and natural resources law. Her book, *Nature's Trust: Environmental Law for a New Ecological Age* (Cambridge University Press), sets forth a new paradigm of global ecological

responsibility. She originated the legal approach called Atmospheric Trust Litigation, now being used in cases brought on behalf of youth throughout the world, seeking to hold governments accountable to reduce carbon pollution within their jurisdictions. She has developed a corresponding approach called Atmospheric Recovery Litigation, which would hold fossil fuel companies responsible for funding an Atmospheric Recovery Plan to draw down excess carbon dioxide in the atmosphere using natural climate solutions. Professor Wood is a frequent speaker on climate issues and has received national and international attention for her sovereign trust approach to global climate policy.