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## Reinhart Launches PFAS-Focused Practice Group

By **Adrian Cruz**

Law360 (July 3, 2023, 4:38 PM EDT) -- Milwaukee-based Reinhart Boerner Van Deuren SC has announced the launch of a new practice group focused on working with corporate parties dealing with litigation and compliance actions related to per- and polyfluoroalkyl substances, toxic chemicals commonly known as PFAS.

According to the firm's Thursday announcement, attorneys from a number of practice groups including corporate, product liability, litigation, environmental and real estate will be involved in the PFAS group, led by shareholders Guy Temple and Patrick Hodan, both of whom have significant experience representing the firm's clients on PFAS matters.

Shareholders Steven Bogart, James Law, Allen Schlinsog Jr., John Van Lieshout and associates Elizabeth Elving and Danielle Marocchi are also listed as members of the PFAS group.

"It's an interdisciplinary group with litigation, corporate, and lawyers from a number of other different areas because PFAS isn't just one area," Hodan told Law360 Pulse on Monday. "It affects corporate deals [and] real estate transactions, and it's going to touch many other disciplines. Our approach is to have a group from different parts of the firm try to address the issue."

Hodan said the main reason Reinhart Boerner decided to launch a dedicated practice group for matters related to PFAS was the projected short-term and long-term growth in the area driven by recent state and federal law changes that have left a number of companies potentially facing either enforcement protocols or litigation related to the chemicals.

One of the recent changes in law that Hodan said he expects to have a major impact on the firm's clients is the Environmental Protection Agency's decision in September to classify two types of PFAS chemicals as hazardous substances. Set to take effect at the end of 2023, the new designation of the chemicals is expected to have a major effect on Superfund sites and the parties tasked with cleaning them up.

"We see the area growing near-term and long-term, with a combination of regulatory changes at both the federal and state level, especially recent developments with the EPA," Hodan said. "There's going to be a lot of businesses caught up in PFAS-related issues coming from either federal or state developments with all sorts of disclosure laws that are being passed. Many more businesses will be impacted, and many of them are unprepared and not realizing that yet."

PFAS chemicals are synthetic substances that have been used in a wide range of consumer products since their introduction in the 1950s including Teflon and firefighting foam. Also known as "forever chemicals," due to their environmental longevity, PFAS have been the subject of a number of lawsuits across the country for their links to a variety of health problems including cancer, hormone disruptions, reproductive harm and thyroid conditions.

Another series of laws Hodan said he expects to see make a major impact are state laws requiring companies to disclose whether they're using PFAS in their products. States such as Minnesota, California and Maine have already implemented such laws, which he said would also end up prohibiting companies from selling products with those chemicals in the near future.

"We're seeing a lot of regulations from federal and state governments changing the rules for commerce, and companies are in the process of adapting, and they'll have to further adapt as states become more active," Hodan said. "Frankly, the public is becoming increasingly aware of the health

concerns with PFAS. We know so much more than we knew 30 years ago, and as there are further developments in the science, there will be further regulatory changes."

On the litigation end, Hodan said that as scientists become more able to concretely link health ailments to PFAS in the environment, more personal injury cases are probably going to be filed. One recent example he cited was a \$40M verdict that DuPont recently appealed to the U.S. Supreme Court after the Sixth Circuit affirmed that exposure to PFAS released into the water contributed to an Ohio man's development of testicular cancer.

In recent weeks, a number of other suits have been filed across the country, including one by Tennessee's attorney general accusing 3M and other chemical companies of polluting the state's environment with PFAS in firefighting chemicals. Additionally, 3M reached a \$12.5 billion settlement earlier this month to resolve claims by the Florida city of Stuart accusing the company of polluting its drinking water.

--Editing by Rich Mills.

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