

## Neutral Services in Environmental and Energy Dispute Resolution

We resolve disputes. Whether you seek an independent mediator, arbitrator or common counsel, Andrews Kurth provides skilled neutrals with extraordinary industry experience. Our mediators satisfy Texas statutory requirements, and have attended nationally-recognized training programs provided by various institutions, such as the Harvard Law School and the A.A. White Dispute Resolution Center. We also serve on the American Arbitration Association Panel for environmental, energy and natural resource matters.

### Industry Knowledge

Our neutrals have rich experience in a multitude of industries that allows us to quickly grasp your controversies and facilitate your resolution objectives.

### Difficult Environmental Matters

Complex environmental, regulatory/policy and scientific multi-party mediations, both binding and non-binding, require a particular level of legal, technical and practical experience. Even though the parties may have committed to negotiated resolution, the underlying technical principles may remain hotly disputed. At advanced stages of negotiation, many parties find themselves still in the denial stage, unable to accept the fact that their activities, or those of predecessors-in-interest, caused pollution for which the government or third parties seek the performance of cleanup or the recovery of cleanup costs. Targeted defendants frequently are unwilling participants to mediation, assuming that the system is designed to create fear and havoc, resulting in settlements that are disproportionate to their perceived degree of responsibility. Many corporate entities have experienced the "usual suspect" approach to the funding of environmental settlements, in which the recovery of past cleanup costs or the payment of future costs are the driving considerations, rather than the determination of an equitable allocation scheme. In addition, in numerous instances, particularly in wide area sediment contamination sites that are impacted by industrial activities dating back more than a century, the involvement of the federal government as a potentially responsible party ("PRP") can present significant obstacles to achieving equitable resolution.

### Experienced, Independent Facilitation

Environmental concerns are often enduring and are not susceptible of timely resolution. The resulting public perception of corporate entities embroiled in complex multi-party sites can hinder pending transactions and impact public perceptions of such entities. Andrews Kurth is ideally suited to facilitate the earliest resolution possible and keep your good-standing in the communities in which you live, play and work. We work closely and frequently with co-counsel, EPA-funded facilitators, environmental consultants and environmental investigation firms. Should you need assistance in coming to a satisfactory, timely and effective resolution of complex environmental and natural resource issues, we can work with you, your designated consultants and individual or common counsel.

### Complex Energy Matters

Long recognized as a leading energy firm, Andrews Kurth's knowledge of the issues currently affecting wind, solar, electrical and fossil fuel energies provides a strong, neutral foundation for resolving your disputes. In the traditional energy sector, we have experience with joint operating and unit agreements, farmout agreements, and federal, state and offshore oil and gas leases. We understand downhole drilling procedures. Crude oil pipeline spills, natural gas emissions and landowner disputes are common issues. We have permitting and other regulatory and contractual experience in the nuclear waste transport, wind and solar power arenas, as well as the electrical industry.

### Andrews Kurth Industry Experience

- Oil & Gas—Downstream, Upstream and Transportation Segments
- Petroleum and Product Pipelines
- Petroleum Product Terminaling

## Neutral Services in Environmental and Energy Dispute Resolution

- Petroleum Product and Chemical Refineries
- Chemical Manufacturing—Organic & Inorganic
- Construction
- Mining
- Marine Transportation and Infrastructure
- Aviation
- Utilities
- Plastics
- Chemical Products for Agriculture
- Specialty Chemicals
- Alternative and Renewable Energy
- Publicly-Owned Treatment Works
- Bending
- Energy
- Radioactive Waste Transport and Disposal
- Steel Manufacturing
- Electronic Component Manufacturing
- Commercial Feed Lots
- Residential and Commercial Real Estate
- Vehicle Rental Facilities

### Andrews Kurth National Experience Guide

- Alabama
- Arizona
- Arkansas
- California
- Colorado
- Florida
- Kansas
- Kentucky
- Louisiana
- Maryland
- Massachusetts
- Nebraska
- Nevada
- New Jersey
- New Mexico
- New York
- Ohio
- Oklahoma
- Oregon

## Neutral Services in Environmental and Energy Dispute Resolution

- Pennsylvania
- Rhode Island
- Texas
- Utah
- Washington
- Washington, DC
- Wisconsin