

Sarah A. Adams

Plaintiffs' Exhibit

8

Civ. No. 21-00997 (CJN)

LEGAL EXPERIENCE

Terris, Pravlik & Millian, LLP

Washington, DC

Senior Counsel (February 2018 – Present)

Monitor compliance with an injunction in civil rights special education class action. Perform legal and factual research related to environmental cases. Handle issues related to attorneys' fees litigation under fee shifting statutes. Supervise associates and paralegals on litigation work.

Partner (January 2002 – December 2004), Associate (November 1997 – December 2001)

Handled all aspects of Clean Water Act, RCRA, and NEPA litigation on behalf of public interest groups and individual clients, including drafting pleadings and discovery, participating in depositions and settlement negotiations, and interviewing witnesses. Drafted briefs for federal trial courts and appellate courts. Presented oral argument before the United States Court of Appeals for the Sixth Circuit.

Law Office of Alan Banov

Washington, DC

Associate (December 1994 – 1997), Law Clerk (November 1993 – December 1994)

Handled all aspects of litigation related to employment discrimination and labor law including drafting briefs, working with clients and opposing counsel, and drafting discovery and preparing for depositions and trial. Supervised payout of multi-million dollar settlement to class action members across the United States, including all communication with class members related to the payout.

U.S. Attorney's Office

Washington, DC

Law Clerk – Internship (January 1994 – April 1994)

Performed legal research, interviewed witnesses, and drafted motions for submission to court on various issues of criminal law.

Center for Immigration Studies

Washington, DC

Researched and wrote articles for publication related to immigration laws in various countries and the United States, including proposals to amend legislation.

National Law Center, George Washington University

Washington, DC

Professor Jonathan Turley

Research Assistant (September 1992 – June 1993)

Performed legal research in areas of criminal and environmental law. Edited and proofread law review article.

EDUCATION

George Washington University National Law Center, Washington, DC

J.D. with Honors, May 1994

The University of San Francisco Summer Law Program, Summer 1992

Trinity College – Ireland; Charles University – The Czech Republic

University of Maryland, College Park, MD

B.S. Biological Sciences (concentration Zoology), August 2000

B.S. Marketing, May 1991

B.A. East Asian Languages and Literatures (concentration Japanese language), May 1991

VOLUNTEER EXPERIENCE

Co-Chaired School Scholastic Book Fair (2014, 2015, 2016); Co-Chaired Holiday Related Giving Campaign (2013-2014); Foster dogs for K-9 Lifesavers and volunteer at events handling dogs and interacting with potential adopters.

PUBLICATIONS

“The Basic Right of Citizenship: A Comparative Study.” *Center for Immigration Studies, Background*. No. 7-93, September 1993.

“Birthright Citizenship: A Renewed Debate.” *Immigration Review (Formerly Scope)* No. 16, Fall 1993.

BAR MEMBERSHIPS

District of Columbia Bar

Maryland Bar

U.S. District Court for the District of Columbia

U.S. Court of Appeals for the Sixth Circuit

U.S. Supreme Court

Daniel M. Franz

PROFESSIONAL EXPERIENCE

Terris, Pravlik & Millian, LLP (Public Interest Law Firm), Washington, D.C. Sept. 2021-June 2023
Associate Attorney

- Represented incarcerated students in a federal class action bringing claims under the Individuals with Disabilities in Education Act (IDEA), the Rehabilitation Act, and the Americans with Disabilities Act (ADA)
- Participated in extended mediation and settlement negotiations and drafted agreement in federal case
- Managed complex data tracking and analysis of individualized deficits, outreach efforts, and current status for class of more than 100 students spread across different prisons
- Drafted motions and briefs in federal environmental civil suits under the Clean Water Act and the Resource Conservation and Recovery Act (RCRA)
- Prepared expert witness for testimony at trial in federal Clean Water Act case
- Conducted in-depth factual and legal research and developed claims for new environmental cases

Earthjustice, Washington, D.C. Sept. 2020-Aug. 2021
Legal Fellow, Clean Energy Program

- Advocated for clean energy policies and considerations in proceedings before the Federal Energy Regulatory Commission (FERC)
- Wrote briefs for multiple FERC proceedings on highly technical energy and market issues
- Represented low-income community advocates in state utility commission proceedings including examining witnesses at proceedings, writing interrogatories, and participating in settlement negotiations
- Managed ongoing Freedom of Information Act (FOIA) litigation and document production from the Department of Energy

INTERNSHIPS AND OTHER EXPERIENCE

Natural Resources and Environmental Law Clinic, Boulder, CO Jan. 2020-May 2020
Student Attorney

- Wrote a formal protest and complaint for federal court opposing oil and gas lease sales in Colorado
- Analyzed issues and drafted a brief addressing Washington Environmental Protection Act claims

American Indian Law Clinic, Boulder, CO Aug. 2019-Dec. 2019
Student Attorney

- Co-authored human rights reports for international reviewing bodies for an Alaskan Native tribe challenging oil and gas development on culturally and spiritually significant land
- Wrote a memorandum on public participation in oil and gas permitting and leasing processes

Colorado Attorney General's Office, Denver, CO Aug. 2019-Nov. 2019
Legal Intern, Natural Resources and Environment Section

- Wrote memoranda analyzing specific issues under numerous federal environmental statutes to support state level implementation of federal programs

Defenders of Wildlife, Denver, CO May 2019-Aug. 2019
Summer Law Clerk

- Wrote memoranda on the legality of Bureau of Land Management policy changes under federal land statutes and on the Fish and Wildlife Service's ability to subdelegate its Endangered Species Act authority to a state

Occupational Safety & Health Review Commission, Denver, CO Aug. 2018-Nov. 2018
Law Clerk

- Drafted administrative judicial orders and decisions for OSHA violation appeals
- Researched and analyzed substantive, procedural, and evidentiary issues for pending motions

US Department of Energy, Golden, CO May 2018-Aug. 2018
Legal Intern, Office of Energy Efficiency & Renewable Energy

- Assisted with administrative litigation concerning employment, ethics, discrimination, and FOIA
- Wrote legal memoranda regarding federal procurement, financial assistance law, environmental law, and regulatory interpretation for energy research and development

Daniel M. Franz

EDUCATION & CREDENTIALS

University of Colorado, Boulder, CO

May 2020

J.D.; Energy, Environmental, and Natural Resources Law and Policy Certificate

Activities: Research Assistant, Prof. Sharon Jacobs; administrative and energy law issues

Managing Editor, Colorado Natural Resources, Energy and Environmental Law Review

Publications: *Black and Yellow Letter Law: Managing Rusty Patched Bumble Bee Conservation Under the Endangered Species Act*, COLO. NAT. RES., ENERGY & ENVTL. L. REV. (2020);

The Subdelegation Doctrine as a Legal Tool for Establishing Tribal Comanagement of Public

Lands: Through the Lens of Bears Ears National Monument, COLO. NAT. RES., ENERGY & ENVTL. L. REV. (2021)

Purdue University, West Lafayette, IN

May 2017

B.S. in Environmental & Ecological Engineering

BAR ADMISSIONS

- Admitted to the District of Columbia Bar, 2021
- Admitted to U.S. District Court for the District of Columbia, 2022

ZENIA SANCHEZ FUENTES

LEGAL EXPERIENCE

TERRIS, PRAVLIK & MILLIAN, LLP, Washington, DC November 2005 - present
Partner, since 2013

- Monitor and enforce settlement order in *Salazar v. District of Columbia*, concerning the provision of Medicaid services to the plaintiff class.
- Represent individual clients before the District of Columbia Office of Administrative Hearing regarding the provision of Medicaid services.
- Represented putative class in *Charles H. v. District of Columbia*, concerning the District of Columbia's failure to provide special education and related services to students at the DC Jail during the COVID-19 pandemic.
- Represented clients in federal environmental citizen suits, including managing fact and expert discovery, motions practice, trial preparation, and settlement.

PUBLIC JUSTICE ADVOCACY CLINIC, Washington, DC January to May 2005
Legal Clerk, George Washington University, Professor Lynn Cunningham

- Contributed to factual developments and case strategy on behalf of low income D.C. residents.
- Drafted policy recommendations for regulation of mortgage lenders based on comparative research of best practices in the country.

PUBLIC DEFENDER SERVICE, Washington, DC June to August 2004
Law Clerk, Trial Division, Attorney Maribeth Raffinan

- Performed legal research in support of clients' defense theories. Drafted motions and provided support in preliminary hearings.
- Met and interviewed clients in jail and assisted investigators in witness interviews.

OFFICE OF INTERNATINAL AFFAIRS, Washington, DC January to April 2004
Legal Intern, Criminal Division, Department of Justice

- Assessed and responded to incoming legal assistance requests pertaining to criminal investigations or prosecutions in Columbia, Mexico, and Honduras.
- Drafted criminal complaints for extradition requests seeking the provisional arrest of drug trafficking fugitives located in the United States and abroad.

SUPERIOR COURT OF THE DISTRICT OF COLUMBIA, Washington, DC May to July 2003
Judicial Intern, The Honorable Susan R. Winfield

- Wrote memoranda and proposed draft orders for motions to sever, reduce sentencing, suppress evidence, modify conditions of release, and seal records.
- Assisted in court by preparing judge's calendar, preparations for jury selection, communications with attorneys, and obtaining necessary court documents.
- Conducted criminal law research to assist in motions hearings.

OTHER EXPERIENCE

U.S. HOUSE OF REPRESENTATIVES, Washington, DC May to July 2003
Intern, Office of Representative Luis V. Gutierrez

- Provided legislative research for labor, immigration, and consumer protection legislation. Drafted section-by-section summaries of bills, talking points, and dear colleague letters.
- Responded to constituent emails, letters, faxes, and phone calls.

ACCENTURE, San Francisco, CA June 1997 to June 2002
Consultant

- Implemented software development process methodology and a balanced scorecard to track corporate client's performance.
- Organized and planned user acceptance testing of enterprise systems implementation at call center for the South Pacific Region of corporate client.
- Planned and led training and communications programs in South America as part of a corporate-wide enterprise resource planning systems implementation.

EDUCATION

THE GEORGE WASHINGTON UNIVERSITY LAW SCHOOL, Washington, DC
J.D., May 2005

TEXAS A&M UNIVERSITY, College Station, TX
B.A. International Studies, B.A. Economics, May 1997
President's Achievement Award recipient 1992
LT. Jordan Institute of International Affairs Fellowship, 1996

BAR MEMBERSHIPS

Member of Maryland Bar and District of Columbia Bar.

Admitted to practice before the United States Court of Appeals, District of Columbia Circuit and the United States District Court for the District of Columbia.

TODD A. GLUCKMAN

PROFESSIONAL EXPERIENCE

Terris, Pravlik & Millian, LLP

Partner (since 2015), Public Interest Litigation

Washington, DC

March 2011-Present

Representative Experience

- Lead counsel representing a class of children with disabilities that sued the District of Columbia in federal court for systemic violations of the Individuals with Disabilities Education Act (IDEA) and the Rehabilitation Act and obtained an injunction requiring improvements
- Represent a class of Medicaid beneficiaries, who have disabilities and are in nursing homes, suing the District of Columbia for failing to have an effective system to transition them to the community as required by federal law
- Represented a relator appealing the dismissal of a False Claims Act case in the Second Circuit
- Represented a plaintiff suing a Maryland college in federal court for disability discrimination and negligence
- Represented a plaintiff suing her former attorneys in District of Columbia Superior Court for legal malpractice committed in the course of her underlying employment discrimination action

White & Case LLP

Associate, Litigation and Arbitration

New York, NY

September 2006-March 2011

Representative Corporate Experience

- Lead associate in successful defense against a \$54 million breach of contract claim: managed 5 associates in an arbitration involving expedited discovery of over 850,000 pages of documents, 22 fact witness depositions, 4 expert depositions, extensive substantive briefing on claims, and two weeks of hearings
- Lead associate in successful defense against a \$1.5 billion *qui tam* claim in federal court related to payment of customs duties
- Represented pension funds opposing the 2009 bankruptcy sale of Chrysler, which raised issues of first impression under the Troubled Asset Relief Program (TARP), with responsibilities including drafting substantive briefs to the district court
- Lead associate in defense of a major U.S. bank in a complex fraud action in federal court related to the Adelphia cable company, with responsibilities including co-management of the discovery process for bank defendants

Representative Pro Bono Experience

- Lead counsel in the successful representation of a community activist in a state court action challenging the New York City Department of Housing Preservation and Development's arbitrary and capricious conduct regarding her property
- Represented an inmate in a federal court action against the State of New York for failure to provide adequate medical care
- Recipient of 2009 White & Case Award for Outstanding Commitment to Pro Bono Legal Services

inMotion Inc.

White & Case Extern, Matrimonial Litigator

New York, NY

January-April 2010

- inMotion provides free legal services to victims of domestic violence (www.inmotiononline.org)
- Litigated 6 divorces and 2 child support petitions pending before the New York Supreme and New York Family Courts requiring numerous court appearances
- Trial counsel for a heavily contested child support petition before the New York Family Court
- Successfully briefed and argued an alimony motion before the New York Supreme Court that more than doubled the client's income
- Extensive discovery practice related to attempts to identify funds hidden by recalcitrant adversaries

United States District Court for the District of Arizona

Law Clerk for the Honorable Frederick J. Martone

Phoenix, AZ

September 2005-August 2006

- Drafted civil litigation orders, assisted in the administration of trials, researched legal issues, and regularly observed court proceedings

TODD A. GLUCKMAN

EDUCATION

Cornell Law School

JD cum laude, May 2005, 3.65 GPA

- Articles Editor, Cornell International Law Journal
- Studied abroad at the Summer Institute of International and Comparative Law, Université Paris I Panthéon-Sorbonne, Paris, France, Summer 2003

Northwestern University

BA, March 2000, 3.71 GPA, Dean's List

- Majored in Political Science, Minored in Economics
- Studied abroad with Northwestern University in South Africa (Cape Town, Johannesburg, Grahamstown, and Durban), Summer 1998

The London School of Economics and Political Science

General Course (LSE year abroad program), 1998-1999

- Completed coursework in history, law, and economics

INTERNSHIPS AND OTHER EXPERIENCE

Tompkins/Tioga County Neighborhood Legal Services (January 2005-April 2005)

Ithaca, NY

Intern: Counseled low-income clients regarding government benefits including Supplemental Security Income, Medicaid and multi-family housing matters

United Nations Office of Legal Affairs, Treaty Section (August-December 2004)

New York, NY

Intern: Prepared memoranda in response to international law queries from United Nations member states and treaty drafting committees and updated content and citations for the *Summary of Practice of the Secretary-General as Depositary of Multilateral Treaties*

Bulletin of the Legal Information Institute (August 2003-May 2004)

Ithaca, NY

Editor: Wrote case summaries of New York Court of Appeals opinions for publication in an online journal that received over 10 million hits per week and that was distributed via email to over 2,000 direct subscribers

United Nations High Commissioner for Refugees (May-June 2003)

Geneva, Switzerland

Intern to Senior Liaison Officer for Human Rights (Department of International Protection): Researched issues related to humanitarian, human rights, and refugee law and wrote a note regarding American and British human rights treaty obligations during the military presence in Iraq that was distributed to the Department of International Protection and the UNHCR Field Office in Iraq

Study of Asian political, economic, and human rights issues (July 2000-Sep. 2001)

S.E. & Central Asia

Independent on-location study including site visits, study of relevant texts, and discussions with civil servants, aid workers, and laypersons—brief selection of countries and issues studied: Indonesia (ethnic and religious conflict under the relocation scheme), Malaysia (deforestation and land rights issues in Malaysian Borneo), Myanmar (the Ne Win regime and human rights issues), Uzbekistan and Turkmenistan (post-Soviet development and human rights abuses), Xinjiang Uighur Autonomous Region, China (human rights abuses and independence movements)

Eagle Scout, Boy Scouts of America (May 1992)

Phoenix, AZ

BAR ADMISSIONS

New York Bar (2006); District of Columbia Bar (2011); Oregon Bar (2018)

United States District Court for the Southern District of New York (2006)

United States District Court for the Eastern District of New York (2006)

United States District Court for the District of Columbia (2012)

United States Court of Appeals for the Second Circuit (2007)

United States Court of Appeals for the D.C. Circuit (2016)

STEPHANIE A. MADISON

BAR ADMISSIONS

District of Columbia Bar (March 2015)

United States District Court, District of Columbia Circuit (February 2016)

EDUCATION

Georgetown University Law Center, J.D., May 2014

Publication: Co-authored with P. David Lopez, former EEOC General Counsel: “Employment Discrimination Law: A Model for Enforcing the Civil Rights of Trafficking Victims.” *Human Trafficking Reconsidered*. Eds. Hoang and Parreñas 2014. 69-80.

University of Maryland, B.A. in Economics and Political Science, May 2008

RELEVANT EXPERIENCE

Terris, Pravlik & Millian, LLP, Washington, D.C.

Partner, January 2022 – August 2023

Associate, December 2015 – December 2021

Represents class action and individual plaintiffs in civil rights lawsuits in the District of Columbia.

- Representing plaintiffs before the district court in *Charles H., et al v. D.C.* (IDEA challenge to the failure to provide special education to high school students detained in the DC Jail); *Maldonado, et al v. D.C.* (Fifth Amend. challenge to the failure to provide notice when denying Medicaid coverage for prescriptions) and *Smith v. Attorney General Sessions* (settled Rehabilitation Act and Title VII suit for race and disability discrimination) including developing litigation strategy, drafting pleadings and motions, arguing motions, managing discovery, participating in mediation, and negotiating settlements.
- Represented individual clients in their claims before the Office of Administrative Hearings pursuant to the consent decree in *Salazar, et al v. D.C.* (class action enjoining the District for Fifth Amend. and statutory violations of Medicaid law).

American Civil Liberties Union, Washington, D.C.

Litigation Fellow, National Prison Project, September 2014 – December 2015

Law Clerk, National Prison Project, Spring 2013

Represented class action plaintiffs across the nation in civil rights lawsuits.

- Drafted motions for *Dockery v. Epps* (Eighth Amend. challenge to conditions in a Mississippi prison), *Henderson v. Thomas* (Rehabilitation Act and ADA challenge to the segregation of prisoners with HIV in Alabama prison), and *Lyon v. ICE* (settled First and Fifth Amend. challenge to limited phone access in California immigration detention facilities).
- Second-chaired depositions of top federal immigration officials in *Lyon v. ICE*.
- Conducted a five-week pre-complaint investigation at a Mississippi maximum-security facility.

Georgetown Law Juvenile Justice Clinic, Washington, D.C.

Graduate Fellow, Summer 2014; *Student Attorney*, September 2013 – May 2014

Represented juveniles charged with misdemeanors and felonies. Supervised student attorneys.

The Law Offices of Gary M. Gilbert & Associates, P.C., Silver Spring, MD

Law Clerk, September 2013 – May 2014

Drafted jury instructions, legal memoranda, and motions for employment discrimination litigation.

Alameda County Public Defender, Oakland, CA

Law Clerk, Misdemeanor Calendar, Summer 2013

Represented criminal defendants at their arraignment and negotiated plea deals.

Equal Employment Opportunity Commission, Washington, D.C.

Legal Intern, Appellate Division and Office of the General Counsel, Fall 2012

Reviewed and recommended cases on appeal to participate in as amicus curiae or co-counsel.

KATHLEEN L. MILLIAN

EXPERIENCE

Terris, Pravlik & Millian, LLP, Washington, DC

Attorney since 1987, *Partner* since 1992

Experienced federal court trial court and appellate litigator. Successfully litigated class actions brought to vindicate civil rights and citizen suits to enforce the federal environmental laws. Represent the plaintiff class in a Medicaid class action against the District of Columbia government. Represent as co-counsel the plaintiff class in a class action concerning the Individuals with Disabilities in Education Act (IDEA). Represent environmental groups in Clean Water Act and RCRA citizen enforcement suits.

Judge James K. Singleton, Alaska Court of Appeals, Anchorage, AK

Judicial Clerk, 1985-1986

REPRESENTATIVE CASES

- *Salazar, et al. v. District of Columbia*, 954 F. Supp. 278 (D.D.C. 1996), in which the district court found the government liable to the plaintiff class of Medicaid applicants and recipients under Section 1983 for failing to comply with the federal Medicaid statute.
- *Interfaith Community Organization, et al. v. Honeywell International Inc.*, 263 F.Supp.2d 796 (D.N.J. 2003), *aff'd*, 399 F.3d 248 (3d Cir. 2005), *cert. denied*, 545 U.S. 1129 (2005), in which the court of appeals affirmed liability under RCRA and the order to excavate and remove 1.5 million tons of toxic hexavalent chromium waste from a 34-acre site in Jersey City, NJ, and a clean-up of the deep ground water and sediments in the Hackensack River.
- *Public Interest Research Group of New Jersey, et al. v. Powell Duffryn Terminals Inc.*, 720 F. Supp. 1158 (D.N.J. 1989), *aff'd in part and rev'd in part*, 913 F.2d 64 (3d Cir. 1990), *cert. denied*, 498 U.S. 1109 (1991), which resulted in a permanent injunction against future Clean Water Act violations and a civil penalty of \$4.085 million.
- *Public Interest Research Group of New Jersey, et al. v. Ferro Merchandising Equipment Corp.*, 680 F. Supp. 692 (D.N.J. 1987), in which the court imposed contempt penalties for a polluter's failure to comply with an injunction under the Clean Water Act.

EDUCATION

Stanford Law School, Stanford, CA, J.D., June 1985

Lawrason J. Driscoll Moot Court Award, Stanford Public Interest Law Foundation Summer Fellowship

Cornell University, Ithaca, NY, B.S., Public Policy, May 1982

BAR ADMISSIONS

State of New York, District of Columbia, United States Courts of Appeals for the District of Columbia, Third, Fourth, Fifth, Sixth, and Eleventh Circuits, United States District Court for the District of Columbia, and the United States Supreme Court.

CAROLYN SMITH PRAVLIK

Bar Memberships:

District of Columbia Bar
U.S. District Court for the District of Columbia
U.S. Court of Appeals for the Third Circuit
U.S. Court of Appeals for the Fourth Circuit
U.S. Court of Appeals for the Eleventh Circuit
U.S. Supreme Court

Education:

Law School: Catholic University Law School, J.D., 1980
Undergraduate: College of Notre Dame of Maryland, B.A., cum laude, 1977

Professional Experience:

Terris, Pravlik & Millian, LLP, Washington, D.C. (TPM):

Managing Partner (1990-Present), Partner (1987-Present), Associate (1981-1987)

TPM is a public interest law firm that primarily litigates cases involving environmental and civil rights claims in the federal courts at all court levels.

Since 1982, Ms. Pravlik has spearheaded the firm's citizen suit practice. The firm has litigated over 100 citizen suits under the Clean Water Act, Clean Air Act, and the Resource Conservation and Recovery Act (RCRA).

Throughout her career, Ms. Pravlik has also litigated attorneys' fees issues in citizen suits and civil rights actions. *See, e.g., Interfaith Community Organization v. Honeywell International, Inc.*, 426 F.3d 694 (3d Cir. 2005); *DL v. District of Columbia*, 924 F.3d 585 (D.C. Cir. 2019). She also participates in the litigation of TPM's civil rights cases.

Representative Citizen Suits:

Friends of the Earth, Inc. v. Laidlaw Environmental Services (TOC), Inc., 528 U.S. 167 (2000), a Clean Water Act (CWA) citizen suit in which the Supreme Court found that the Fourth Circuit erred in finding the case moot due to availability of only civil penalty relief and not injunctive relief. Supreme Court also held that the citizens had constitutional standing to pursue their claims. Lower court decisions are found at 890 F. Supp. 470 (D.S.C. 1995), 956 F. Supp. 588 (D.S.C. 1997), and 149 F.3d 303 (4th Cir. 1998).

American Canoe Association, Inc. v. Murphy Farms, Inc., 326 F.3d 505 (4th Cir. 2003), a citizen suit under the Clean Water Act against a hog farm (a concentrated animal feeding operation (CAFO)) for discharging hog waste without a National Pollutant Discharge Elimination System Permit

(NPDES). The resulting permit, which imposed restrictions on operations to prevent discharges of hog waste, was the first NPDES permit issued to a CAFO in North Carolina. The other case decisions by the Fourth Circuit are found at 412 F.3d 536 (4th Cir. 2005), and 210 F.3d 360 (4th Cir. 2000). The district court's only decision is available at 1998 U.S. Dist. LEXIS 21402, 1998 WL 35273684 (E.D.N.C. Dec. 22, 1998).

PennEnvironment v. PPG Industries, Inc., a citizen suit under RCRA's imminent and substantial endangerment provision and under the CWA for discharging pollutants into the Allegheny River and other waters of the United States since 1973 without authorization through an NPDES permit. *PennEnvironment v. PPG Industries, Inc.*, 964 F. Supp. 2d 429 (W.D. Pa. 2013) (*PPG I*) (denying PPG's motion to dismiss); 23 F. Supp. 3d 553 (W.D. Pa. 2014) (*PPG II*) (granting plaintiffs summary judgment on the issue of standing); No. 12-342, 2014 WL 6982461 (W.D. Pa. Dec. 10, 2014) (*PPG III*) (granting plaintiffs' motion for a preliminary injunction requiring PPG to apply for an NPDES permit); 127 F. Supp. 3d 336, 385-386 (W.D. Pa. 2015) (*PPG IV*) (granting plaintiffs' motion for summary judgment on PPG's liability under the CWA for unlawful discharges from 1973 through 2015 and on PPG's liability under RCRA for high pH discharges which may present an imminent and substantial endangerment); No. 12-342, 2018 WL 1784555 (W.D. Pa. Apr. 13, 2018) (*PPG V*) (granting plaintiffs' fourth motion for partial summary judgment on RCRA liability regarding waste at PPG's solid waste disposal area); No. 12-342, 2019 WL 2210692 (W.D. Pa. May 22, 2019) (*PPG VI*), *reconsideration denied*, 2019 WL 4860940 (W.D. Pa. Oct. 2, 2019) (*PPG VII*) (denying PPG's motion to dismiss plaintiffs' RCRA claims as futile); 587 F. Supp. 3d 286, 305 (W.D. Pa. 2022) (*PPG VIII*) (extending PPG's liability for CWA violations through December 31, 2019 and denying PPG's motion for summary judgment on the mootness of plaintiffs' civil penalty claim); No. 12-342, 2022 WL 2048082 (W.D. Pa. June 7, 2022) (*PPG IX*) (denying PPG's motion for certification of an interlocutory appeal of the mootness decision).

Interfaith Community Organization v. Honeywell International, Inc., 426 F.3d 694 (3d Cir. 2005) and 726 F.3d 403 (3d Cir. 2013), citizen suits under RCRA where the court of appeals addresses the award of attorneys' fees to the citizen plaintiffs.

Interfaith Community Organization v. Shinn, No. 93-4774, slip op. (D.N.J. Nov. 24, 1998), a citizen suit under RCRA's imminent and substantial endangerment provision, in which the court found that the contaminants in Liberty State Park may present an imminent and substantial endangerment to park visitors. Almost 300 acres of the park have been fenced and closed to the public as a result. Remediation plans are underway by the State.

NJPIRG v. Hercules, Inc., 830 F. Supp. 1525 (D.N.J. 1993), *rev'd in part and remanded*, 50 F.3d 1239 (3d Cir. 1995), in which the courts addressed

the scope of a notice of intent to sue under the CWA. Additional district court decisions are at *PIRG v. Hercules, Inc.*, No. 89-2291, slip op. (D.N.J. Nov. 4, 1996) (reported at 44 ERC 1509); *PIRG v. Hercules, Inc.*, 970 F.Supp. 363 (D.N.J.1997); *PIRG v. Hercules, Inc.*, No. 89-2291, 2003 WL 23519620 (D.N.J. Oct. 27, 2003) (settled while on appeal of this decision).

NJPIRG v. Powell Duffryn Terminals, Inc., 720 F. Supp. 1158 (D.N.J. 1989), *aff'd in part, rev'd in part and remanded*, 913 F.2d 64 (3rd Cir. 1990), *certiorari denied*, 498 U.S. 1109 (1991), in which the court enjoined the defendant's violation of the CWA and imposed a penalty of \$4.085 million.

NJPIRG v. Monsanto Co., 600 F. Supp. 1479 (D.N.J. 1985), in which the court found the defendant liable for numerous violations of the CWA. This was the first summary judgment on the issue of liability in a CWA citizen suit. The court also upheld the constitutionality of the citizen suit provision of the Clean Water Act, 33 U.S.C. § 1365.

NJPIRG v. Fritzsche, Dodge & Olcott, Inc., 579 F. Supp. 1528 (D.N.J. 1984), *aff'd*, 759 F.2d 1131 (3d Cir. 1985), in which the court held that agency level enforcement by the U.S. Environmental Protection Agency did not bar plaintiffs' citizen suit under the CWA language at the time.

Representative Civil Rights Cases:

DL v. District of Columbia, 860 F.3d 713 (D.C. Cir. 2017) and 924 F.3d 585 (D.C. Cir. 2019), a class action on behalf of pre-school aged children with disabilities, in which the court of appeals rendered decisions regarding class certification, injunctive relief, and attorneys' fees.

Charles H. v. District of Columbia, No. 1:21-cv-997, 2022 WL 1416645 (D.D.C. Feb. 16, 2022), a class action on behalf of students with disabilities denied special education and related services while detained at the DC Jail, in which the district court found the District of Columbia to be in contempt of its preliminary injunction requiring delivery of the required services.

U.S. Department of the Interior, Office of the Solicitor: Attorney in the Solicitor's Honors Program (Oct. 1980-Apr. 1981). This position involved providing legal advice to several of the department's organizations: the Secretary's Office, the National Park Service, the Fish and Wildlife Service, and the Office of Surface Mining. The Solicitor's Honors Program was eliminated in 1981 by the Reagan Administration but was later re-established.

PATRICK A. SHELDON

(202) 204-8469 (work); psheldon@tpmlaw.com

LEGAL EXPERIENCE

Terris, Pravlik & Millian, LLP, Washington, DC April 2010 – Present
Partner (2014-present); *Associate* (2010-2014)

- Represent PennEnvironment and Sierra Club in lawsuit under the Clean Water Act, Resource Conservation and Recovery Act, and Pennsylvania Clean Streams Law for contamination of waters, soils, and sediments at former waste site of PPG Industries, Inc. (*PennEnvironment v. PPG Industries, Inc.*, W.D. Pa., Civ. No. 2:12-cv-3442).
- Represent a class of Medicaid beneficiaries, who have disabilities and are in nursing homes, suing the District of Columbia for failing to have an effective system to transition them to the community as required by the Americans with Disabilities Act and the Rehabilitation Act (*Brown v. District of Columbia*, D.D.C., Civ. No. 1:10-cv-02250).
- Represent individuals with claims regarding provisions of Medicaid services before the District of Columbia Office of Administrative Hearings.
- Represented individual in lawsuit under the D.C. Whistleblower Protection Act against the District of Columbia (*Rogers v. District of Columbia*, D.C. Super. Ct., Civ. No. 2017 CA 005342 B).

Cleary Gottlieb Steen & Hamilton LLP, Washington, DC Aug. 2005 – March 2010
Associate

- Represented clients in federal civil litigation, including breach of contract claims and suits brought under the Anti-Terrorism Act.
- Represented Guantánamo detainees *pro bono* in petitions for writ of habeas corpus (*Zakirjan v. Bush*), appellate proceedings (*Kiyemba v. Obama*) and in related Freedom of Information Act request.
- Represented a New York state inmate *pro bono* in petition for re-sentencing under amendment to the Rockefeller drug laws and in immigration removal proceedings.

International Criminal Tribunal for the former Yugoslavia, Den Haag, Netherlands Oct. 2004 – Apr. 2005
Associate Legal Officer

- Researched issues of international humanitarian law, analyzed evidence, helped draft Trial Chamber decisions, and assisted in judgment preparation in *Prosecutor v. Slobodan Milošević*.

MacArthur Justice Center, Chicago, IL Sept. 2002 – June 2004
Student Staff Member

- Conducted research for and assisted in drafting Petitioner's Brief on the Merits before the Supreme Court in *Rasul v. Bush*.
- Assisted in drafting *amicus* brief on behalf of U.S. citizens formerly detained abroad for litigation involving implementation of the International Court of Justice opinion in *Case Concerning Avena and Other Mexican Nationals*.
- Researched and drafted memoranda on mental health care in Illinois maximum-security facilities.

Schiff Hardin & Waite, Chicago, IL Summer 2003
Summer Associate

New York County District Attorney's Office, New York, NY Feb. 2000 – July 2001
Paralegal/Trial Preparation Assistant

- Served as lead paralegal on a securities fraud case, including assisting in witness interviews and litigation at trial.

OTHER EXPERIENCE

South Asia Human Rights Documentation Centre (SAHRDC)

Representative, UN Commission on Human Rights, Geneva, Switzerland

Mar. – Apr. 2004

- Member of SAHRDC's delegation to the 60th Session of the United Nations Commission on Human Rights in Geneva, Switzerland.

Intern, New Delhi, India

June – Aug. 2002

- Drafted letter to the United Nations Special Rapporteur on Religious Intolerance concerning Pakistan's blasphemy laws.
- Contributed to report on Zimbabwe land reform for the SAHRDC *Human Rights Quarterly*.
- Drafted evaluative report on the New Zealand Human Rights Commission.

Residential Life and Services, Oberlin College, Oberlin, OH

Feb. 1998 – June 1999

Assistant Area Coordinator

- Supervised 14 student staff members in nine residence halls.
- Assisted in developing programming, managing residence hall program budgets, inspecting facilities, and responding to student problems.

American Friends Service Committee, Newark, NJ

July 1997 – Sept. 1997

Intern, Criminal Justice Program

- Assisted in the operations of the Information Service program and the Prison Watch program.

EDUCATION

University of Chicago Law School, June 2004

J.D., with Honors

- Recipient of Chicago Law Foundation Grant (2002).

Oberlin College, June 1997

B.A., African-American Studies

- Member of Oberlin Students for Prison Awareness.

BAR ADMISSIONS

Member of New York Bar and District of Columbia Bar.

Admitted to practice before the following federal courts: the Eastern District of New York, the Southern District of New York, the District of Columbia, and the Court of Appeals for the District of Columbia Circuit.

LEGAL EXPERIENCE

Terris, Pravlik & Millian, LLP

Partner, January 2020-present

Associate, November 2012-December 2019, Washington DC

- Represent clients in all phases of litigation, including fact and expert discovery, depositions, motion practice, examination of witnesses, and on appeal.
- Represent clients in federal environmental litigation under the CWA and RCRA.
- Represent clients before administrative agencies and state and federal courts in suits alleging employment discrimination, as well as termination in violation of state whistleblower protection act.
- Represent disabled children challenging denials of Medicaid benefits in hearings before the District of Columbia Office of Administrative Hearings.
- Represented qui tam relator in False Claims Act appeal.
- Major Accomplishments:
 - Obtained preliminary injunction and summary judgment for plaintiffs in case under the CWA and RCRA.
 - Argued on behalf of False Claims Act relator before the United States Court of Appeals for the Second Circuit.

Institute for Public Representation, Georgetown University Law Center

Student Attorney, August-December 2011, Washington, DC

- Drafted motions and briefs in civil rights and other public interest litigation.
- Major Accomplishments:
 - Coauthored petitioners' merits brief in *Elgin v. Dep't of Treasury*, 132 S. Ct. 2126 (2012).

U.S. Department of Justice, Civil Rights Division, Special Litigation Section

Legal Intern, Summer 2011, Washington, DC

- Prepared memoranda for litigation related to enforcement of civil rights legislation.
- Investigated law enforcement agencies to identify potential violations of civil rights law.

U.S. Department of Transportation, Maritime Administration, Office of Chief Counsel

Legal Intern, Summer 2010, Washington, DC

- Prepared memoranda on legal issues related to federal control of the maritime industry.

PROFESSIONAL EXPERIENCE

Epic Systems Corporation

Software Developer/Project Manager, 2005-2009, Madison, WI

- Member of Pharmacy Interface Ownership Group, responsible for oversight of all Pharmacy-related interface development.
- Member of Epic's e-prescribing work group, responsible for oversight of company-wide development and process related to electronic medication prescribing. Developed new interfaces to maintain interoperability in light of evolving government and industry standards.
- Account manager for four hospital systems. Responsible for designing, developing, and supporting integration between Epic's EMR and all other electronic systems.
- Awards: Received multiple "Han Solo" awards (for exceptional individual achievement). Received "The Force" award (for exceptional achievement as part of a group).

EDUCATION

Georgetown University Law Center Washington, DC

Juris Doctor, cum laude, 2012

Journal: *American Criminal Law Review*, Annual Survey Editor

Duke University, Pratt School of Engineering Durham, NC

Master of Engineering Management, 2005

Duke University, Pratt School of Engineering Durham, NC

Bachelor of Science in Engineering, 2003

Major: Biomedical Engineering; Minor: Computer Science

PUBLICATIONS

Nicholas Soares, *The Right to Remain Encrypted: The Self-Incrimination Doctrine in the Digital Age*, 49 AM. CRIM. L. REV. 2001 (2012)

Dominic Carucci, David Overhuls, & Nicholas Soares, *Computer Crimes*, 48 AM. CRIM. L. REV. 375 (26TH ANNUAL SURVEY OF WHITE COLLAR CRIME) (2011)

BAR ADMISSIONS

Admitted to practice in Virginia and the District of Columbia.