



Ira M. Gottlieb

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Environment & Energy | Environment & Energy Litigation | Environment & Energy Strategic Counseling | Environment & Energy Transactions | Insurance Recovery, Litigation & Counseling | Life Sciences | Energy & Utilities | Renewable Energy | Manufacturing | Real Estate Acquisitions & Development

Clients call on Ira Gottlieb because of his practical approach and problem solving skills. Ira helps clients efficiently and effectively resolve complex environmental issues involving Superfund, natural resource damages (NRD), environmental cost recovery claims, regulatory issues, and policyholder insurance coverage problems. Chair of the firm's Environment & Energy Practice Group, Ira is known for being "very responsive and knowledgeable," and for "his skill at assigning the most appropriate resources" to effectively handle matters. Ira draws from his extensive litigation and trial experience and his time as an Assistant Regional Counsel for the U.S. Environmental Protection Agency, Region III, to come up with goal-oriented strategies for success.

Ira's environmental and NRD work involves large, multi-party Superfund sites, including urban watershed sites located around the country. Ira is lead attorney for clients on several Superfund and NRD matters involving the Berry's Creek Study Area in New Jersey, the Portland Harbor Superfund Site in Oregon, the Lower Passaic River in New Jersey, and other Superfund sites. He has successfully defended and resolved cost recovery and environmental indemnity actions and pursued insurance coverage claims. Ira is also defending parties in several cases around the country against claims involving newly emerging contaminants, such as PFAS.

His policyholder insurance coverage work covers an array of litigation and counseling in multi-state environmental and toxic tort cases and involves claims relating to products liability, business interruption, employers' liability, workers compensation, and Directors and Officers (D&O) and Errors and Omissions coverage. He was part of a litigation team pursuing insurers in New York state court for recovery of damages to an oil platform in the North Sea.

Ira is a speaker and co-host of environmental seminars and conferences. He has written on numerous environmental-related topics, including authoring articles and book chapters on Superfund, NRD, and insurance for climate change liabilities and business interruption. Ira is the co-author of a recent ABA book chapter titled "CERCLA Cost Recovery, Contribution and a Primer on Natural Resource Damages Law: Regulation, Litigation and Basic Economic Principles," which is part of an ABA book series *Environmental Litigation: Law and Strategy* (Second Edition 2019). Ira has served as a past Co-Chair of the Committee on Superfund and NRD Litigation of the ABA Section of Environment, Energy and Resources.

Representative Matters

Industrial engineering and manufacturing company—Superfund site

Represent a large international industrial engineering and manufacturing company in a response action involving the Portland Harbor Superfund Site in Oregon. Our role has included negotiating the remedial design of a portion of the environmental remedy and

separate settlement negotiations with federal, state, and tribal natural resource damages trustees concerning potential responsibility for a share of the clean up costs of the site.

Commercial masonry company—Environmental cost recovery action

Led a multidisciplinary team in resolving multimillion-dollar environmental, bankruptcy and insurance coverage claims against a commercial masonry company concerning a five-mile stretch of the Duwamish River that flows into Elliott Bay in Seattle, Washington.

Medical device manufacturer—Superfund site

Serves as lead counsel for a leading medical device manufacturer in all aspects of the Berry's Creek Study Area Superfund site in New Jersey, including the site remedial investigation, potential remedy screening, allocation process, and potential natural resource damages assessment process. We participate in the Potentially Responsible Parties Group's leadership and management and are involved with policy planning and strategy for the group and for our client.

Education

Vermont Law School, JD, *magna cum laude*, 1988

Articles Editor and Member, *Vermont Law Review*, 1986–1988

Brooklyn College, BA, *summa cum laude*, 1985

Bar Admissions

New Jersey

Vermont

Court Admissions

U.S. Court of Appeals, Third Circuit

U.S. District Court, District of New Jersey

U.S. District Court, District of Vermont

U.S. District Court, Eastern and Southern Districts of New York

Memberships and Certifications

American Bar Association

International Association of Defense Counsel

Vice-Chair IADC Toxics and Hazardous Substances Committee

ABA Section on the Environment, Energy and Resources

Former Co-Chair of the Committee on Superfund and NRD Litigation
2005–2007

ABA SEER, NRD Litigation Committee's Newsletter

Former Vice-Chair and Editor

New Jersey State Bar Association, Environmental Law Section

Member

New Jersey Supreme Court, District Ethics Committee, for Essex County, District V-B,
Suburban Essex

Former member
1997–1998

Somerset Home for Temporarily Displaced Children

Former Member and Former Vice-President of Board of Trustees

Recognitions*

The Best Lawyers in America, Energy Law and Environmental Law, New Jersey, 2015–
2024

New Jersey Super Lawyer, 2005, 2006, 2008–2024

Chambers USA, Environment; Litigation: Insurance, New Jersey, 2009–2023

* No aspect of this or any advertisement has been approved by the Supreme Court of New Jersey. For ranking methodologies, please see [here](#).

Alerts

New Jersey DEP Issues Order Seeking to Promote NRD-Related Policies for “Collaborative Process” and Stakeholder Involvement, Environment & Energy Alert, 3.20.2023

Insurance Recovery, Litigation & Counseling Update, Insurance Recovery, Litigation & Counseling Update, 2.24.2021

UK Supreme Court Ruling Provides Sweeping Policyholder Relief for COVID-19 Business Interruption Losses, Insurance Recovery, Litigation, & Counseling Alert, 1.26.2021

A Tale of Two Policies: How Careful Interpretation Impacts Coverage Determinations, Insurance Recovery, Litigation & Counseling Alert, 1.26.2021

Courts Find Coverage for COVID-19 Business Interruption Losses, Insurance Recovery, Litigation & Counseling Alert, 10.28.2020

New Jersey Court Refuses to Dismiss Policyholders’ COVID-Related Business Interruption Claims, Dealing a Blow to Insurer’s Arguments That Such Claims Cannot Constitute Covered Loss Under a Property Policy, Insurance Recovery, Litigation & Counseling Alert, 9.16.2020

Michigan Trial Court’s Recent Denial of Business Interruption Coverage Not Likely to Have Far Reach, Insurance Coverage Alert, 7.16.2020

Good News for Businesses Damaged During Riots: Insurance May Cover Your Losses, Insurance Recovery, Litigation & Counseling Alert, 5.16.2020

Pennsylvania Supreme Court Decision Can Assist Policyholders in Their Insurance Coverage Claims for COVID-19 Losses, Insurance Recovery, Litigation & Counseling Alert, 5.11.2020

Pennsylvania Senate Issues Bill That, If Passed, Will Require Insurers to Provide Broad Coverage for COVID-19-related Business Interruption Claims, Insurance Recovery, Litigation & Counseling Alert, 4.20.2020

New Jersey Offers Grace Period for Insurance Premium Payments, Insurance Recovery, Litigation & Counseling Alert, 4.13.2020

MA, NJ, NY, PA, LA and OH, Consider Legislation Clarifying that Business Interruption Coverage Applies to COVID-19 Claims, Coronavirus Legal Advisory, 4.10.2020

Does Your Contract Protect You from the Coronavirus?, Coronavirus Legal Advisory, 3.17.2020

New Jersey Launches New Environmental Enforcement and NRD Initiative, Environment & Energy Alert, 8.6.2018

Hurricanes Are Coming — Can Your Insurance Weather the Storms?, Insurance Recovery, Litigation & Counseling Alert, 8.22.2017

New Jersey Court Confirms a PRP Letter Constitutes a “Suit” Triggering an Insurer’s Duty to Defend, Insurance Coverage Alert, 9.14.2016

New Jersey Supreme Court Affirms General Contractor’s Insurance Coverage for Consequential Damages Caused by a Subcontractor’s Faulty Workmanship, Insurance Coverage Alert, 8.22.2016

New York High Court Applies All Sums Allocation To Long-Tail Claims Under Certain Insurance Policies, Insurance Coverage Alert, 5.16.2016

New Jersey Launches Energy Resilience Bank, Environment & Energy Alert, 11.5.2014

Articles

Six States Consider Extending Business Interruption Coverage to Coronavirus Claims, New Jersey Law Journal, 4.10.2020

Expert Insight: A General Overview of Insurance Coverage for NRD Claims, American Bar Association, 8.1.2019

CERCLA Cost Recovery and Contribution and a Primer on Natural Resource Damages Law: Regulation, Litigation, and Basic Economic Principles, American Bar Association, 8.1.2019

Natural Resources Damages Case Study, Commerce Magazine, 5.1.2017

Hot Topics in Downstream Litigation, Book Chapter, The Center for American and International Law-LexisNexis, 10.1.2014

Speaking Engagements

New Jersey – The Once and Future Leader for NRD Programs?, Law Seminars International's Eighth Annual Advanced Conference on Litigating Natural Resource Damages, 3.14.2019

Defenses to NRD Claims, Law Seminars International's 11th Annual Santa Fe Advanced Conference on Litigating, 8.9.2018

Liability Defenses and Natural Resource Damages, AIRROC & EECMA Mega-Superfund Site Symposium, 9.7.2017

Update on Legislative Proposals to Change Deference to Agency Interpretation of Ambiguous Statutes and Regulations, Law Seminars International, 7.18.2017

Adapting to Changes in Federal and State Environmental Policy and Other New Developments, Law Seminars International: The Sixth Annual Advanced Conference on Natural Resource Damages, 3.23.2017

Daubert: Admissibility of NRD Experts, Law Seminars International's The Tenth Annual Advanced Conference on Litigating Natural Resource Damages, 7.14.2016

Insurance for NRD: Are You Covered?, Law Seminars International's The Fifth Annual Advanced Conference on Natural Resource Damages, 3.10.2016

Thinking Outside the Box: An Open Discussion about the Future of NRD, Law Seminars International's The Fifth Annual Advanced Conference on Natural Resource Damages, 3.10.2016

Importance of Properly Prepared and Well-Executed Contracts, Frenkel & Company CLE Seminar, 10.28.2015

Allocation and Divisibility: How Have the Judicial Dominoes Fallen? Allocating NRD Liability in Light of Recent Judicial Decisions, Law Seminars International Ninth Annual Advanced Conference on Litigating Natural Resource Damages, 7.17.2015

NRD Allocation: What's Joint and Several Liability Have to Do with It?, Law Seminars International Fourth Annual Advanced Conference on Natural Resource Damages, 3.12.2015

Insurance Topics for Public Power Utilities, American Public Power Associate Legal Seminar, 10.20.2014

Environmental Insurance Coverage for NRD, CERCLA, RCRA, OPA and Other Claims 2014, Strafford CLE Webinar , 8.14.2014

Settlement of Large Sites: Lessons from the Passaic River, Advanced Natural Resource Damages Conference, 7.25.2014

Hot Topics in Downstream Litigation, Oil & Gas Law Conference, 2.19.2014

NRD Mega-Crisis: A Status Report, Advanced Conference on Natural Resource Damages, Evolving Strategic, Tactical & Substantive Issues, 2.6.2014

Webinars

Environmental Insurance Coverage Under CGL, Property and D&O Policies for NRD, CERCLA, RCRA, OPA and Other Claims, Strafford CLE webinar, 9.26.2017

Environmental Insurance Coverage for NRD, CERCLA, RCRA, OPA and Other Claims, Strafford CLE Webinar, 9.10.2015

Quoted

State-of-the-Industry Report: Key Trends, Issues and a Conversation with NJDEP Commissioner Bob Martin, Commerce Magazine, 11.30.2016

NJ High Court Prevents Rush to Courthouse on Spill Suits, Law360, 1.27.2015

New Jersey Supreme Court's ruling in Magic Petroleum Corp. v. Exxon Mobil Corp., Law360, 12.22.2014

NJ Enviro Decision Will Help Bankroll Site Cleanups, Law360, 8.7.2014

Lawyers React To High Court's CERCLA Preemption Ruling, Law360, 5.10.2014