

# KANNER & WHITELEY, L.L.C.

701 Camp Street

New Orleans, Louisiana 70130

(504) 524-5777

FAX: (504) 524-5763

## FIRM BIOGRAPHY

Kanner & Whiteley, L.L.C. (“K&W”) is an AV-rated national trial firm founded in 1981 that excels in handling complex and novel matters. The firm has been especially successful in natural resource damage cases, environmental and toxic tort litigation, commercial fraud, first party insurance claims, and in pioneering new legal theories in diverse legal areas.

## NATURAL RESOURCE DAMAGE AND ENVIRONMENTAL EXPERIENCE

Starting with Three Mile Island, our firm has achieved an unmatched record in helping clients to navigate through the complex and dynamic backdrop of environmental laws and regulations. Our litigation practice has involved successful claims for recovery of compensation for environmental damage to both persons and property resulting from contamination. The firm has pursued causes of action for both private and public entities under various theories, including trespass, strict liability, unjust enrichment, *parens patriae*, as well as both federal and state environmental statutes. These actions have taken the form of class, multiple party, government, and individual plaintiff proceedings against a multitude of corporations, including Exxon Mobil, British Petroleum, Shell, Texaco, ConocoPhillips, and Amoco.

The firm has been retained on behalf of the State of Louisiana by the Hon. James D. “Buddy” Caldwell, Attorney General, to pursue all claims arising from the Deepwater Horizon Spill. See Sonia Smith, Lawmakers Briefed On State’s Oil Spill Response, BATON ROUGE ADVOCATE (June 10, 2010) (“Caldwell’s office said Louisiana has hired “the best oil and gas” expert in the world as lead counsel for spill litigation: Allan Kanner of the New Orleans-based firm Kanner and Whiteley”); Clancy Dubos, WWLTV.com (“New Orleans lawyer Allan Kanner, who has a national reputation as an environmental plaintiff attorney, is Caldwell’s choice to lead the state’s effort – provided Jindal frees up enough money to let Kanner et al. do the job....Kanner’s environmental litigation experience, for example, goes all the way back to Three Mile Island.”).

The firm has also acted, and represents as Special Counsel to the New Jersey Attorney General and the Department of Environmental Protection to both develop the New Jersey State’s comprehensive natural resource damages program, as well as litigate these claims against industry defendants unwilling to amicably resolve their NRD liability with the Department. Initially the firm worked with Commissioner Bradley Campbell and Attorney General David Samson to catalog and prioritize the State’s viable claims and prepare legal theories and factual information to enable the State to enforce the State’s interests. The firm began litigating the leading case in New Jersey’s natural resource damage program in 2004 against Exxon Mobil for injuries at two of Exxon’s former refinery sites in the State. In a 2007 opinion in that case, the Appellate Division found in favor of the State on appeal from a partial summary judgment ruling (under the State’s Spill Act), finding that damages for loss of use and services are available to the State. *New Jersey Dep’t of Env’tl Prot. v. Exxon Mobil Corp.*, 393 N.J. Super. 388 (App.Div.

2007). The trial court also has ruled that restoration damages are available to the Department under the Spill Act's strict, joint and several liability provisions. The firm's New Jersey work was recently noted by Judge Fasciale in *New Jersey Department of Environmental Protection v. ISP Environmental Services et al*, No. UNN-L-2271-07 (Super. Ct., Civil, Union County, New Jersey) *Tr.*, 3/5/10, pp 4-5:

The Attorney General's Office and Special Counsel, Kanner and Whiteley, have a lengthy substantive attorney/client relationship. The firm has been Special Counsel to the AG since July 2003, and prior to the time, the firm worked with the DEP for over a year to assess potential claims.

Since 2003, Kanner and Whiteley, has litigated numerous cases on behalf of the attorney general. The firm has also participated in development of the State's natural resource initiative. The firm is a national reputable practice, and Allan Kanner, the primary attorney in this mater, is the founding member of the firm.

### **TRIAL AND APPELLATE EXPERIENCE**

K&W has an excellent trial and appellate reputation. We have substantial jury trial experience with a number of multi-million-dollar verdicts, including three successful class action trials. We have successfully litigated civil RICO, environmental, toxic tort, antitrust, fiduciary duty, and other cases. The firm has also successfully defended an antitrust class action. The firm has served as lead counsel in a number of recent cases, including *In re Cox Enterprises, Inc., Set-Top Cable Television Box Anti-Trust Litigation*, MDL No. 2048 (W.D. Okla.) (Co-Lead) (pending antitrust class); *Shaffer v. Continental Casualty Co.*, No. CV-06-2235-RGK (C.D. Cal.) (Lead) (\$60 million long term care insurance settlement pending); *United States ex rel. Branch Consultants v. Allstate*, No. 06-4091 (E.D. La.) (Lead) (pending *qui tam*); *Lemmings v. Second Chance Body Armor, et al.*, No. CJ-2004-64 (Mayes County District Court, OK) (2/19/05)(certification of class of bullet proof vest purchasers/users) (7/12/05 Order Preliminarily Approving \$29 million national class settlement) (9/23/05 Final Approval Granted); *Milkman v. American Travellers Life Insurance Co.*, No. 3775, (Ct. Common Pleas, First Judicial District, June Term 2000) (4/01/02) (multi-million-dollar national class settlement on behalf of Long Term Care and Home Health Care policyholders; final approval granted 4/01/02); *Talalai v. Cooper Tire & Rubber Co.*, MID-L-8839-OOMT, Mass Tort 259, (Law Div. Middlesex Cty.) (multi-million-dollar national class settlement on behalf of Cooper Tire purchasers; final approval granted on 9/13/02); *Hanson v. Acceleration Life Ins. Co.*, Civ. No. 3:97-152 (D.N.D. 1999) (\$14.7 million settlement on behalf of Long Term Care policyholders); *Wallace v. American Agrisure*, No. LR-C-99-669 (E.D.AR) (\$3.7 million settlement on behalf of rice growers holding CRC Plus policies); *Thomas v. Schwab*, No. 66,700 (10th Jud. Dist. Ct., Natchitoches, La) *aff'd*, 683 So.2d 734 (La. App. 3 Cir. 1996) (Certification of national class action); *Dumont v. Charles Schwab & Co. Inc.*, Civ. Act. No. 99-2840 c/w 99-2841 (settlement of certified national class of Schwab customers July 21, 2000, 2000 WL 1023231); *Petrovic v. Amoco Oil Co.*, 200 F.3d 1140 (8th Cir. 1999)(settlement of certified pollution property class action affirmed on appeal); *Tompkins v. BASF*, No. 96-59 (Traill County, N.D.) (multi-million-dollar settlement on behalf of agricultural product purchasers); *Clark v. Household Finance Corp.*, No. 97-2-22420 (King County, WA, 12/29/97) (certification and settlement of statewide class for defrauded employees). We have served as co-lead counsel in *In re Synthroid Marketing Litigation*, MDL 1182, 264 F.3d 712 (7th Cir. 2001) (\$89 million nationwide class action

settlement granted final approval and affirmed on appeal); *Jorgenson, et al. v. Agway, Inc.*, Civ. No. A3-00-59 (D.N.D. 2002) (\$3.2 million settlement on behalf of sunflower growers); and *Bonilla v. Trebol Motors*, No. 92-1795 (D. P.R.) (\$129.5 million class action verdict affirmed in part and reversed in part on appeal; settled as to all parties).

Courts have consistently acknowledged the firm's expertise in complex litigation:

*Ralph Shaffer v. Continental Casualty Company*, CV 06-2235-PSG (June 12, 2008) (Final Approval) ("The Court finds Class Counsel have achieved a substantial benefit for the Class in the face of formidable defenses to liability and difficult damages issues. Class Counsel's skill and experience enhanced the Settlement, and Class Counsel took on a substantial risk by taking this case on a contingency basis and advancing all of the necessary litigation expenses. Class Counsel fought numerous motions, took or defended several depositions in various locations throughout the Country, analyzed thousands of documents and several expert reports, extensively prepared for trial, and after nearly two years of litigation and effort to build a compelling case against an aggressive opponent, engaged in difficult settlement negotiations.")

*Lemmings, et al., v. Second Chance Body Armor, Inc., et al.*, CJ-2004-62 (District Court, Mayes County, Oklahoma) (Final Approval Hearing 9/23/05, Judge James D. Goodpaster) ("Having been in this business some 40 years and having been through some litigation right here from this bench and personally I think that the lawyers for the claimants and for Toyobo have done an outstanding job and I really do thank you all for the hard work that all of you have done in putting this settlement together."); (2/9/05 Order Certifying Class Action with Findings of Fact and Conclusion of Law) ("Plaintiffs' lawyers are qualified, experienced and generally able to conduct the proposed litigation and there are no antagonistic interests between the representative party and the class. Plaintiffs have retained attorneys that are qualified and skilled in complex and consumer class litigation.")

*Wallace v. American Agrinsurance, Inc.*, No LR-C-99-669 (E.D.Ark, 2005) ("I have nothing but admiration for you and your associates for the outstanding manner in which you at all time represented the class plaintiffs in this case.")

*Samples v. Conoco, Inc.*, No. 2001-CA-000631, Div. J (Escambia County, First Judicial Circuit Court, Florida, 2003) (Class Counsel were "shown to be qualified, adequately financed and possessed sufficient experience...[and] have demonstrated both their commitment to vigorously pursue this matter on behalf of the class as well as their qualifications to do so.")

*Janes v. CIBA-GEIGY Corporation*, Docket No. L-1669-01 Mass Tort 248 (Law Div. Middlesex Cty.) (5/16/03 Opinion and Order

Certifying Litigation Class for pollution property damages) (Plaintiffs' "attorneys are qualified and experienced to conduct this litigation. Class counsel has the requisite experience, skill, and competency in dealing with class actions and complex litigation.")

*Hanson v. Acceleration Life Ins. Co.*, Civ. No. A3:97-152 (D.N.D. Mar. 18, 1999) (certifying class, rejecting filed rate doctrine and denying summary judgment): Order of December 11, 1999 (approving final settlement of \$14.7 million), pp. 8-9: ("*This litigation was hard fought* throughout its two year pendency and required thousands of hours of counsel's time and hundreds of thousands of dollars advanced for expenses, with significant risk of no compensation. Both local counsel and national *class counsel are commended for their willingness to take on this cause when there were virtually no precedents to assure them of likely success.* They are all highly skilled and well-experienced attorneys who appreciate the risky nature of this litigation, yet their desire to correct a perceived injustice suffered by a vulnerable group of people led them to take this risk. *Counsel's considerable skill, both in the substantive areas of this case as well as in discovery and class action procedure, together with their degrees of preparation were primary factors leading to the favorable settlement for the class. Of equal note is the fact that counsel unquestionably put the interests of the class far ahead of their own interest.*") (emphasis added). This case involved a North Dakota class action certified against Acceleration Life Insurance and Commonwealth Life Insurance Company for fraud in connection with multiple premium increases of up to 700% between 1989 and 1997 on "guaranteed renewable" Long-Term Care insurance policies. Shortly before trial a national class action settlement, supervised and approved by the federal magistrate, was entered into which brought over \$7.7 million in cash payouts to numerous elderly policyholders and their families and an addition \$4 million in insurance benefits tailored to the specific needs of each class member.

*Talalai v. Cooper Tire & Rubber Co.*, MID-L-8839-00MT, Mass Tort 249, (Law Div. Middlesex Cty.) (11/1/01 Opinion and Order Certifying National Class and Preliminarily Approving Settlement) ("The attorneys of Kanner & Whiteley, L.L.C. have substantial jury trial experience with a number of multi-million-dollar verdicts, including a number of successful class action trials. The firm is known for its willingness to try class actions to verdicts and has done so on at least three occasions, winning every time"); Opinion of September 13, 2002 (Approving Certification and Final Settlement of National Class), p. 5: ("The Stipulation was the result of extensive and intensive arm's length negotiations among highly experienced counsel, with the benefit of extensive discovery and full knowledge of the risks inherent in this litigation.")

*Milkman v. American Travellers Life Insurance Co.*, No. 3775, (Ct. Cm. Pleas, First Judicial District, June Term 2000)

(Preliminary Approval of National Class: 11/26/01) (“As demonstrated by the credentials set forth in the Motion, the Plaintiff’s attorneys are more than capable of representing the interests of the Class and there do not appear to be any conflicts of interest between the Plaintiff and the Class.”). (Final Approval of National Class: 4/1/02), p. 47 (“Again, the quality of the legal representation provided by Class Counsel is exceptional. The extensive experience of each of the firms and individual attorneys serving the Class is set forth in Kanner Affidavit Paragraphs 54 through 68. Moreover, the Court can attest to Class Counsel’s professionalism and skill, as demonstrated by the extensive memoranda of law and the first-class oral arguments delivered on behalf of the Class.”).

*Bonilla, et al. v. Trebol Motors Corporation, et al.*, No. 92-1795 (JP) (D.P.R.) (\$129,000,000 jury verdict in civil RICO class action against Volvo and local distributor) (describing the firm’s abilities on March 27, 1997, as follows: “*We have no trouble concluding that the experience and resources of Kanner & Whiteley was a major reason that the plaintiffs’ class was able to so successfully present its case to the jury and achieve such an estimable result. Mr. Kanner, who served as lead counsel at trial, has perhaps as much experience litigating complex class action suits as any attorney in the United States.* He has authored, chaired, consulted on, contributed to, and given articles, symposiums, classes, books, practice guides, etc. More importantly, his resume is replete with instances in which he served as counsel in complex class action suits. His experience was essential to the success realized by the plaintiffs in this action.”) (emphasis added).

*Glass, Molders, Pottery Plastics, and Allied Workers International Union, et al. v. Wickes Companies, Inc.*, No. L-06023-88 (Sup.Ct., Camden Cty., February 24, 1992) (certifying national class of workers who lost jobs as a result of tortious conduct occurring in the context of hostile corporate raid) (describing the firm’s abilities to represent the class as follows: “*Plaintiffs’ attorneys have extensive professional experience representing plaintiffs in class actions. Additionally, the attorneys representing the plaintiffs are equipped with the staff and resources to adequately handle a technical and complex class action. In short, I am satisfied that plaintiffs’ attorneys are committed to the class and competent to advocate its interest.*”); (emphasis added) Order Approving Counsel Fees of December 16, 1993 (“This Court finds that the Kanner firm, [and co-counsel] have all *provided outstanding service to the class* and faithfully executed their fiduciary duties in connection with this litigation.”) (emphasis added).

*Local 7-515, Oil Chemical and Atomic Workers International Union (OCAWIU), et al v. American Home Products, et al.*, Civ. No. 92-1238 (JP) (D.P.R.) (Order of April 13, 1992, certifying national class of workers who lost jobs as a result of fraudulent job

transfers to Puerto Rico under civil RICO theory), *Oil Chemical and Atomic Workers International Union v. American Home Products, et al.*, Civil No. 91-1093 consol. with Civil No. 92-1238 (Order of September 17, 1992, approving \$24 million settlement); p. 38 of transcript: “Indeed, the Court affirmatively finds that Mr. Kanner and [co-counsel] have in all matters handled this case and conducted themselves, in relation to their co-counsel, with *the highest degree of professionalism, integrity and ability*. There is no doubt in the Court’s mind, based on his intimate familiarity with the record, that *but for the outstanding efforts of Mr. Kanner and [co-counsel] there would not have been such a significant and landmark result in this case*, and I have been telling you all this long before this moment.” (emphasis added).

*The Board of Commissioners of the New Orleans Exhibition Hall Authority v. Missouri Pacific Railroad Company, et al.*, No. 92-4155 (Judgment of February 15, 1996) “It must be said that both firms and all attorneys involved in this protracted litigation exemplified *the highest standard of trial experience and skill* which was brought to bear on *this novel and difficult matter* in a specialized area of the law.” (emphasis added).

As a result, Allan Kanner is regularly asked to lecture and write on presenting the plaintiff’s case for trial. The firm is especially well known for its ability to communicate novel theories effectively, and has been featured in *Business Week*, *American Bar Association Journal*, *New York Times*, *Washington Post* and *Wall Street Journal* articles.

## ATTORNEYS

**ALLAN KANNER** (B.A., University of Pennsylvania; J.D., Harvard Law School), founding member, handles significant environmental, toxic tort, commercial and consumer fraud cases. Kanner has been recognized by to Chambers USA (2009 & 2010), “Allan Kanner of Kanner & Whiteley enjoys a ‘sterling reputation’ for plaintiff-side representation in toxic tort trials.” Kanner has also been named as a Louisiana Super Lawyer since 2007. In 1996, he was recognized for winning one of the year’s largest verdicts, a \$129,500,000 judgment in a civil RICO class action. Allan Kanner is also an Adjunct Professor at Tulane Law School, and has taught as a Visiting Lecturer in Law at Yale Law School (Fall 2002), Visiting Senior Lecturer at Duke University (Fall 2000), and Visiting Professor at the University of Texas Law School (Spring 2001). He is the author of ENVIRONMENTAL AND TOXIC TORT TRIALS (Lexis-Nexis) (2d ed.), as well as over 50 articles in the diverse fields of torts, trial practice, civil discovery, civil RICO, environmental law, toxic torts, class actions, and business and consumer fraud.

In the area of natural resource damages, Kanner has authored numerous articles, including:

- Kanner & Ziegler, Understanding and Protecting Natural Resources, 17 DUKE ENVIRONMENTAL LAW & POLICY FORUM (Fall 2006).
- Kanner, Understanding and Protecting Natural Resources, 17 DUKE ENVIRONMENTAL LAW & POLICY FORUM (Fall 2006).
- Kanner, Unjust Enrichment In Environmental Litigation, 20 JOURNAL OF ENVIRONMENTAL LAW & LITIGATION, p. 111 (Spring 2005).

Kanner, The Public Trust Doctrine, Parens Patriae, and the Attorney General As the Guardian of the State's Natural Resources, 16 DUKE ENVIRONMENTAL LAW & POLICY FORUM, p. 57 (Fall 2005).

Kanner & Nagy, Measuring Loss of Use Damages in Natural Resource Damage Actions, COLUMBIA JOURNAL OF ENVIRONMENTAL LAW, (2005) Vol. 30, No. 2, p. 417.

Kanner, Tribal Sovereignty and Natural Resource Damages, PUBLIC LAND AND RESOURCE LAW REVIEW, University of Montana School of Law (Spring 2004), Vol. 25, p. 93.

Kanner has lectured before bar groups nationally, including:

Kanner, Speaker, "Inevitable Litigation," Deepwater Horizon Oil Spill: The Legal Out Fall, Teleconference, Sponsored by Toxic Tort and Environmental Law Committee & Admiralty Law Committee, ABA TIPS (July 21, 2010).

Kanner, Speaker, "Settlement of NRD Litigation," Law Seminars International, Natural Resource Damages Litigation, Santa Fe, NM (July 15, 2010).

Kanner, Speaker, "Natural Resource Damages & Remediation Efforts," Oil in the Gulf: Litigation and Insurance Coverage Conference, Atlanta, GA (June 24, 2010).

Kanner, Speaker, "Oil in the Gulf: Litigation And Insurance Coverage," HB Litigation Teleconference (May 26, 2010).

Kanner, Speaker, HB Litigation Teleconference, Quantify and Defending Natural Resource Damages (January 26, 2010).

Kanner, Speaker, "Settlement of NRD Litigation," Law Seminars International, Natural Resource Damages Litigation, Santa Fe, NM (July 10, 2009).

Kanner, Speaker, "Hanford Telebriefing," Law Seminars International (Oct. 9, 2007).

Kanner, Contributor, "Critical Developments in Toxic Torts Seminar Series: The Role of Regulatory Science in Tort Litigation," Environmental Law Institute, Washington, D.C. (July 24, 2007).

Kanner, Speaker, "Settlement of NRD Litigation," Natural Resource Damage Litigation, Law seminars International, Santa Fe, NM (July 16-17, 2007).

Kanner, Panelist, Natural Resource Damage Issues, Tulane 12<sup>th</sup> Annual Environmental Law Conference, New Orleans, LA (Mar. 12-13, 2007).

During 1998 and 1999 he was one of the principal authors of the LOUISIANA JUDGES' COMPLEX LITIGATION BENCH BOOK. He currently sits on the Louisiana Supreme Court's Committee to Study Perceptions of The Legal System. He has taught at the Louisiana Judicial College, and the Brookings Institute Judicial Symposium on Civil Justice Issues. He is a member of the bars of California, District of Columbia, Louisiana, New Jersey, New York, Oklahoma, Pennsylvania, Texas and Puerto Rico (Federal) and has successfully handled matters throughout the United States.

**CONLEE S. WHITELEY**, managing member, joined Kanner & Whiteley, L.L.C. in 1994. Ms. Whiteley practices in the fields of complex litigation and class actions, including consumer fraud, securities, RICO, agricultural product and commercial litigation. Before joining Kanner & Whiteley, she worked for the Louisiana State Law Institute in the areas of the Louisiana Code of Civil Procedure and the Louisiana Children's Code. Ms. Whiteley is admitted to practice before Louisiana State Courts and the United States District Courts for the Eastern and Western Districts of Louisiana, the District of North Dakota and the United States Court of

Appeals, First and Fifth Circuits. She has also been admitted to practice *Pro Hac Vice* in the United States District Court for the District of Puerto Rico, state courts of California, Florida, Illinois, North Dakota, Pennsylvania, Texas and Washington. She graduated in 1989 from Louisiana State University where she obtained a Bachelor of Arts degree in History with a minor in Political Science. In 1993, she obtained a Juris Doctor degree from the Paul M. Hebert Law Center at Louisiana State University.

**ELIZABETH B. PETERSEN**, member, joined Kanner & Whiteley, L.L.C. in 1996. Ms. Petersen practices in the fields of environmental law, complex litigation and class actions, including consumer fraud and environmental property damage litigation. She has taught a Seminar on Toxic Torts at Tulane Law School. Prior to joining Kanner & Whiteley, she practiced in the areas of civil and maritime litigation. She is admitted to practice before the United States District Court for the Eastern and Western Districts of Louisiana and before Louisiana State Courts. She has also been admitted to practice *Pro Hac Vice* in the United States District Courts for the Western District of Missouri; the District of Puerto Rico, the Southern District of Texas; the Northern District of Illinois, the Circuit Court of Escambia County, Florida, the District Court for Kay County, Oklahoma, and before several of New Jersey's state courts. Ms. Petersen graduated in 1992 with a Bachelor of Arts degree in English from the University of California at Berkeley. In 1995, she obtained a Juris Doctor and Certificate of Environmental Law from Tulane University School of Law.

**CYNTHIA GREEN ST. AMANT** joined Kanner & Whiteley, L.L.C. in 1998 as an associate in the litigation section where she practices general, civil, commercial, consumer fraud, class action and environmental law. Before joining Kanner & Whiteley, L.L.C., she worked at the Louisiana Supreme Court, clerking for Justices Lemmon and Bleich and serving as a staff attorney in the Court's Civil Staff Division. Ms. St. Amant is a member of both the Louisiana and Texas bars and is admitted to practice before Louisiana State and Federal Courts, Texas State Courts and the Fifth Circuit Court of Appeal. She graduated with a Bachelor of Science degree in Business Administration from Louisiana Tech University in 1993. In 1996, she obtained a Juris Doctor degree from the Paul M. Hebert Law Center at Louisiana State University.

**MICHAEL "RYAN" CASEY** joined Kanner & Whiteley, L.L.C. in 2006 as an associate attorney in the litigation section where he practices general, civil, commercial, consumer fraud, complex litigation, and environmental law. Mr. Casey graduated with a Bachelor of Arts degree in Philosophy and Government in 2000 from The College of William and Mary. In 2006 he obtained a Juris Doctor degree from the University of Oregon School of Law with a Pro Bono Certificate and Certificate of Environmental Law. Prior to attending law school, Mr. Casey was a Peace Corps volunteer in Penza, Russia. During law school, he was a student attorney at the Western Environmental Law Center, clerked with the Environmental Law Alliance Worldwide, served on the boards of the Oregon Law Students Public Interest Fund and Coalition Against Environmental Racism, and was the founding President of the Student chapter of the Oregon Trial Lawyers Association. He was awarded summer work-grants from both the Land Air Water Society and OLSPF, and worked as a summer clerk with non-profit international environmental law firms in Russia and Venezuela.

**MELISSA MCCONNELL FUSELIER**, (B.A., University of Alabama; J.D., Loyola University New Orleans, Civil Law Certificate) is an associate attorney at Kanner and Whiteley, L.L.C. Melissa joined the firm in 2008. During law school at Loyola, Melissa was a brief writer and oralist on the John Marshall Information Technology and Privacy Law Moot Court Team. She also served as the Fall/Spring Coach on the Loyola Moot Court Board and coached the John Marshall Information Technology and Privacy Law and the Vanderbilt First Amendment Team.



Melissa also served as a Moot Court Teaching Assistant and was the Vice President of Development of the Real Estate Law Society. Melissa has practiced in the areas of domestic relations, commercial real estate and maritime litigation. She is admitted to practice before all state and federal courts in Louisiana and all state courts in Georgia. Melissa is a member of the Louisiana State Bar Association, the Federal Bar Association, the Association for Women Attorneys and is on the Silent Auction Committee for the Young Lawyer's Section of the New Orleans Bar Association.

**REBECCA J. DAVIS** (B.A., Western Kentucky University; J.D., Tulane University Law School) is an associate attorney who joined the firm in 2008. Ms. Davis practices environmental law. Prior to joining the firm, she was an attorney with the Texas Commission on Environmental Quality where she focused on air, water, and waste regulatory and compliance issues. Additionally, she also implemented federal legislation, drafted air regulations, and worked on Clean Air Act state implementation plans for the State of Texas. Ms. Davis later practiced in the private sector in the areas of personal injury, toxic tort, and casualty litigation. Ms. Davis is admitted to the Eastern District Court of Louisiana. She is also admitted Pro Hac Vice in the Superior Court of New Jersey.

**DAVID A. POTE** joined Kanner & Whiteley in 2010 and practices environmental law, natural resource damages and class actions. Prior to joining the firm, he practiced general civil litigation in both Alabama and Florida, including the areas of toxic torts, complex tort litigation, insurance coverage law and medical malpractice. Mr. Pote is admitted to practice before the United States District Court for the Northern, Middle and Southern Districts of Alabama, as well as all Louisiana state courts, Florida state courts, and Alabama state courts. He graduated with a Bachelor of Science degree from Birmingham-Southern College in 1994, and earned his Juris Doctorate degree from Tulane Law School in 2000, where he was the Senior Appellate Justice on the Moot Court Board.