

Rising Star: Kelley Drye's Lana Rowenko

By Christine DeRosa

Law360 (July 15, 2024, 2:02 PM EDT) -- Lana Rowenko of Kelley Drye & Warren LLP represents more than a dozen states and territories in multidistrict litigation over per- and poly-fluoroalkyl substances, or PFAS, in South Carolina and was part of the team that earned \$48 million in settlements for the state of New Mexico following the 2015 Gold King Mine spill, earning her a spot among the environmental law practitioners under age 40 honored by Law360 as Rising Stars.

Biggest case of her career:

For Rowenko, the biggest case of her career isn't just one — it's a group of ongoing cases that have been centralized in multidistrict litigation in South Carolina, she told Law360. Kelley Drye and Rowenko represent over a dozen states and territories that have brought claims against the manufacturers of firefighting product aqueous film-forming foam, known as AFFF.

AFFF products contain per- and poly-fluoroalkyl substances, commonly known as PFAS or "forever chemicals."

On Dec. 7, 2018, the Judicial Panel on Multidistrict Litigation centralized, for coordinated pretrial proceedings, hundreds of actions alleging that AFFF products caused PFAS contamination in drinking water, as well as vast groundwater and natural resources across the country.

Rowenko serves on the states and sovereigns subcommittee, which is part of the plaintiffs' executive committee of the MDL. Rowenko said they work with their own sovereign clients, but also with other states that are involved in that committee to push the claims and interests of the firm's clients forward.

"I think the biggest challenges there are just the number of cases that are involved and the different plaintiff groups," Rowenko said.

2024

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STAR**



Lana Rowenko

Kelley Drye

Age: 38

Home base: Houston

Position: Partner

Law school: University of Virginia School of Law

First job after law school: Cadwalader Wickersham & Taft

Most interesting case she's worked on:

As for the most interesting case she's worked on, Rowenko points to her role as part of the team representing the state of New Mexico in claims arising from the 2015 Gold King Mine spill in Colorado.

At the heart of the case is the 2015 waste spill, which took place after a U.S. Environmental Protection Agency contractor accidentally caused a mine collapse at the Bonita Peak Mining District's Gold King Mine near the Colorado town of Silverton. Toxic water from that spill flowed into the Animas and San Juan rivers, and affected Lake Powell, a reservoir in Utah and Arizona, court records show.

In this case, much like the South Carolina MDL, Rowenko and Kelley Drye represented the state, but there were multiple other types of plaintiffs, including a tribal nation, Rowenko said, and the parties had to coordinate among each other.

Rowenko said when she came into the case in 2019, discovery was really getting off the ground, but that the litigation had been ongoing since 2016.

"One of the things I think was really interesting for me on that case was I had the opportunity, particularly pre-COVID, to travel to the region and to go to the communities that were impacted by this," Rowenko said.

Hearing from community members whose livelihoods and personal lives were altered, in addition to how it continued to affect them years later, opened Rowenko's eyes to the direct touch that her work has on communities, she said.

Rowenko's work helped the team reach a total of \$48 million in settlements with the U.S. government, its contractors, and various mining companies on behalf of New Mexico, according to the firm. The case concluded in December 2022.

Her proudest moment and what drives her:

Like many attorneys, Rowenko's proudest moment was making partner in 2023.

Aside from wanting to do her best, the importance of the cases she works on really motivates her, Rowenko said.

"I could see how the work that we were doing was having direct impacts and has the potential to have direct impacts on communities that have been affected," Rowenko said, referring to the Gold King Mine case. "Knowing that the work that we do has that potential, I think, does push me to do my best and to help get as much as we can for our clients."

How she became an environmental attorney:

Rowenko's path to becoming an environmental attorney wasn't a straight one, she told Law360.

She began her legal career doing commercial securities work in New York before moving to Houston, where she continued her commercial securities practice. After almost six years, Rowenko was looking for a change.

"I wanted something that would challenge me, but also bring a sense of fulfillment," Rowenko said. "The

opportunity opened up here in Kelley Drye in the Houston office, which focuses a lot on environmental work. That drew me in."

The change has been very rewarding and has given Rowenko the opportunity to bridge her past and current career focus, noting that even though the securities world deals with one complicated statutory framework and the environmental world deals with a different complicated statutory framework, both involve statutory frameworks.

The other piece of the puzzle is that Rowenko has always loved litigation.

"I'd always been a litigator at heart," Rowenko said. "The work that I'd done as a litigator was very helpful for me in the environmental world. Understanding and knowing how to do discovery and motion work and all of that trial preparation, you can translate that from one field to the other."

What she's really loved as an environmental lawyer is that she's doing something different every day.

"I feel like every day brings new challenges, new legal challenges, new procedural challenges, that I never thought I would face, and I love that that makes my practice interesting," Rowenko said.

--As told to Christine DeRosa. Editing by Michael Watanabe.

Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2024 Rising Stars winners after reviewing nearly 1,200 submissions. Attorneys had to be under 40 as of April 30, 2024, to be eligible for this year's award. This interview has been edited and condensed.
