



## Curt D. Marshall

Special Counsel

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### About

Curt Marshall practices environmental litigation. He serves as counsel for states and territories in litigation related to contamination and natural resource damages from Per- and polyfluoroalkyl substances (PFAS), focusing especially on industrial discharge sites across the country.

### Experience

Curt served as trial counsel for the State of New Jersey in prosecuting New Jersey's case against DuPont for knowingly discharging PFAS and other contamination from DuPont's Chambers Works site into the waters and environment of New Jersey for decades. Following a month of trial in federal court in Camden, DuPont and related companies agreed to a record setting settlement with New Jersey valued at \$2 billion in remediation, restoration, costs, and damages. On the eve of this trial, 3M settled-out for up to \$450 million more in PFAS damages to New Jersey. At \$2 billion, DuPont's settlement with New Jersey is the largest environmental recovery for a single plaintiff - and is one of the largest legal recoveries of any kind - in the history of the country.

Prior to joining Kelley Drye, Curt spent more than 20 years advocating on behalf of public water suppliers, municipalities, residents and businesses to recover costs of remediating and treating environmental pollution, particularly groundwater contamination involving the gasoline constituent MTBE, chlorinated solvents (TCE and PCE), solvent stabilizers (1,4 dioxane) and PFAS.

In addition to his depth of experience in all aspects of litigation, from pleadings through discovery, trials and appeals, Curt has also been integrally involved in major environmental litigations throughout his career. These include litigations spawned from major environmental disasters that have resulted in significant settlements on behalf of victims of pollution: the oil spill by the oil rig "Deepwater Horizon" in the Gulf of Mexico, on April 20, 2010; the coal ash spill from the Tennessee Valley Authority's Kingston Fossil Plant in Tennessee in 2008; contamination of groundwater in multiple jurisdictions from the gasoline constituent MTBE; and nuisance odors emanating from a subsurface chemical fire at a landfill in northeastern Ohio.

In addition, Curt has extensive experience in mass torts, toxic torts, consumer protection and products liability litigation. In the consumer protection arena, Curt pioneered Y2K consumer class action litigation on behalf of businesses and individuals that achieved a \$110 million settlement. He recently served on the Plaintiffs Steering Committee in *In re Wells Fargo Collateral Protection*

*Insurance Litigation* that resulted in a \$386 million settlement. In products liability matters, Curt has represented Fortune 500 companies and other companies.

## **Related Services**

Environmental  
Environmental Litigation  
Environmental Regulation  
PFAS and Emerging Contaminants

## **Education**

Fordham University School of Law, J.D., 1992

- Recipient of American Jurisprudence Award in Products Liability

Abilene Christian University Graduate School, Masters, 1986

Westmont College, B.A., 1982

- cum laude

## **Admissions**

Connecticut, 1992  
New York, 1993

## **Courts**

U.S. District Court–District of Connecticut  
U.S. District Court–Southern District of New York  
U.S. District Court–Eastern District of New York  
U.S. District Court–Northern District of Florida