



David M. Reap

Special Counsel

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About

A former deputy attorney general, Dave Reap leverages his experience and insight to represent government entities in high-impact litigation to protect public health, safety, and the environment.

Dave represents public and private sector clients in environmental litigation. These actions seek natural resource damages and treatment of contaminated drinking water supplies. A substantial portion of these cases concern per- and polyfluoroalkyl substances (PFAS) environmental contamination.

As deputy attorney general in the New Jersey Attorney General's Office, Dave represented the state and its agencies in matters before New Jersey's trial courts, Appellate Division, and Supreme Court.

He was primarily assigned to the Consumer Fraud Prosecution Section and prosecuted civil enforcement actions on behalf of consumers for violations of the New Jersey Consumer Fraud Act and related statutes and regulations. Dave also handled a variety of other high-profile matters involving the Governor's Office, the Treasury, and the State Police.

Dave brings experience defending companies and working in the court system when advising public clients. Dave began his legal career as a law clerk in the New Jersey Superior Court, Chancery Division - General Equity Part for Judge Harriet F. Klein. During law school, Dave was selected to participate in a fellowship with District Judge Susan D. Wigenton of the U.S. District Court of New Jersey.

Experience

Environmental Litigation / Natural Resource Damages

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.

Currently serving as counsel to the New Jersey Attorney General and on team representing the New Jersey Department of Environmental Protection in litigation in New Jersey Superior Court seeking natural resource damages and related relief against Solvay Specialty Polymers USA, LLC for PFAS—including perfluorononanoic acid (PFNA) and chloroperfluoropolyether carboxylates (CIPFPECAs)—and other hazardous substances contamination from its manufacturing plant in West Deptford, New Jersey.

Currently serving as counsel to the Ohio Attorney General and on team representing the State of Ohio in litigation in the Ohio Court of Common Pleas seeking relief against DuPont and Chemours as a result of decades of discharges of perfluorooctanoic acid (PFOA) into Ohio from the Washington Works manufacturing plant in Parkersburg, West Virginia.

Currently serving as counsel to the North Carolina Attorney General and on team representing the State of North Carolina in litigation in North Carolina Superior Court seeking relief against DuPont and Chemours for PFAS—including GenX—contamination from the Fayetteville Works manufacturing plant.

Currently serving on the Plaintiffs' Discovery Committee and State Sovereign Committee in the multi-district litigation In Re: Aqueous Film-Forming Foams Product Liability Litigation, pending in South Carolina federal district court.

Currently serving as counsel to the New Jersey Attorney General and on team representing the New Jersey Department of Environmental Protection in litigations against the 3M Company, other manufacturers of AFFF, and the United States Government as a discharger of AFFF for PFAS contamination across New Jersey resulting from the use of these products.

Currently serving as counsel to the Guam Attorney General and on team representing the Government of Guam in litigation against the 3M Company and other manufacturers of AFFF.

Currently serving as counsel to the Attorney General of the Commonwealth of the Northern Mariana Islands and on team representing the CNMI in litigation against the 3M Company and other manufacturers of AFFF.

Class Actions

Assisted in defending leading entertainment company against multiple class actions claiming technical difficulties experienced during live-stream of highly anticipated pay-per-view event, resulting in favorable nationwide settlement resolving consumer claims that was approved by Nevada federal district court.

Assisted in obtaining dismissal of a putative consumer class action brought against major retailer in New Jersey for alleged discrepancies between pricing of products at the shelf and register.

New Jersey Attorney General

Lead deputy for investigation into national extended warranty company regarding its deceptive tactics to deny consumers' claims for repair or replacement of home appliances, and resulting civil enforcement action. Negotiated settlement including civil penalties and consumer restitution, as well as various forms of injunctive relief, including imposition of compliance monitor to oversee the company's business practices.

Lead deputy for investigation into eldercare financial services company that charged senior citizen veterans fees for preparation and filing of applications for benefits with the U.S. Department of Veterans Affairs, and failed to submit the applications on their behalf. Negotiated settlement including consumer restitution, and permanent injunction barring the company from advertising or offering such services.

Secondary deputy for civil enforcement action against third party supplier of natural gas and electric power for charging consumers rates during Polar Vortex that were exorbitant and inconsistent with pricing mechanism in supplier's contracts. Assisted with development of global settlement to resolve action and two related class actions that returned millions to impacted consumers and required that the company significantly reform its business practices.

Lead deputy for civil enforcement action against New Jersey chain of pet stores that sold sick animals to consumers and refused to reimburse them for expensive veterinarian bills. Coordinated efforts with local, New Jersey State, and federal agencies in preventing stores from selling certain animals while the action was pending. Negotiated settlement including consumer restitution for veterinarian bills, and permanent injunction barring the company and its principal from selling animals in New Jersey.

Lead deputy for civil enforcement action against vehicle service company for misleadingly advertising its coverage as "bumper-to-bumper." Negotiated settlement requiring company to terminate its business and make payment to the state in penalties and restitution, and obtained appointment of receiver when it failed to comply with consent judgment.

Lead deputy for investigation of first impression into national fertility consulting company that included a clause in its contracts with consumers that prevented them from posting reviews about its services on the internet. Negotiated settlement including civil penalties and requirement that the company remove the clause from its contracts.

Member of team submitting extensive briefing to New Jersey Supreme Court in series of cases concerning the State's obligations to the public employee retirement systems in the billions of dollars during a fiscal crisis. Obtained two favorable opinions for the State.

Drafted motion for reconsideration in action against the State Police for alleged negligence in failing to locate teenager before her murder, which after filing led plaintiffs to agree to stipulation dismissing Police from case.

Honors

Dave was selected in 2026 for inclusion in the Commercial Litigation area as one of *The Best Lawyers in America*® "Ones to Watch" (Woodward/White, Inc.). A description of the selection methodology can be found [here](#).

He was recognized as a leading practitioner by *US Legal 500*, a Legalease Publication, for his work in the area of Environment Litigation, 2020-2024. A description of the selection methodology can be found [here](#).

Dave was selected for inclusion in the 2020-2023 New York *Super Lawyers*' "Rising Stars" list, issued by Thomson Reuters. A description of the selection methodology can be found [here](#).

No aspect of these advertisements have been approved by the Supreme Court of New Jersey.

Related Services

Environmental
PFAS and Emerging Contaminants
Litigation
Environmental Litigation
Commercial Litigation
Consumer Class Action Defense
Public Sector and Government Entities

Education

Benjamin N. Cardozo School of Law, J.D., 2012

- The Cardozo Jurist, editor-in-chief; Cardozo Journal of Conflict Resolution, staff writer; Jacob Burns Medal for Outstanding Contribution to the Law School; Alexander Fellowship Program; Intensive Trial Advocacy Program (ITAP)

University of Michigan, Gerald R. Ford School of Public Policy, B.A., 2009

- Public Policy

Admissions

New York
New Jersey

Courts

U.S. District Court–Southern District of New York

U.S. District Court–Eastern District of New York

U.S. District Court–District of New Jersey