



Zoe Peer Makoul

Associate

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About

Zoe Peer Makoul focuses her practice on environmental matters such as emerging contaminants, natural resource damages, administrative rules and regulations, and energy policy. Her practice includes serving as counsel to public-sector clients in environmental litigation arising from extensive contamination, degradation of natural resources, and violations of state and federal law, as well as keeping state agencies and private-sector clients apprised of new and upcoming regulatory action.

Zoe is a dedicated advocate for the clients she represents, and she aims to work alongside them to reach satisfying resolutions. To that end, she has helped clients navigate litigation, mediation, and settlement negotiations. Currently, Zoe serves on multiple teams that represent states and territories in cases related to per- and polyfluoroalkyl substances (PFAS), both in standalone lawsuits and in multidistrict litigation.

In addition, Zoe maintains a pro bono practice, focusing on reproductive healthcare and immigration.

Prior to joining Kelley Drye, Zoe was a New York State Pro Bono Scholar at the Sabin Center for Climate Change Law and a justice extern at the Environmental Protection Bureau for the New York Attorney General's office. While attending Columbia Law School, she worked for Columbia Law School's Environmental Law Clinic, focusing on chemical contamination and environmental justice. She also served as the Notes Editor of the *Columbia Journal of Environmental Law* and authored an article examining environmental ethics that was selected for publication.

Zoe is a recipient of the Alfred S. Forsyth Prize, awarded annually to outstanding students in the field of environmental law who demonstrate qualities of intellect and selfless dedication to the advancement of environmental law.

Experience

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.

Serving on team representing the New Jersey Department of Environmental Protection in litigation in New Jersey Superior Court seeking natural resource damages and related relief for PFAS contamination from a manufacturing plant in West Deptford, New Jersey. The team secured a settlement of approximately \$393 million against site owner Solvay Specialty Polymers USA, LLC, and has submitted a settlement agreement with prior owner, Arkema, Inc., for nearly \$34 million plus a \$75 million reserve fund.

Serving on team representing the Attorney General of Guam in an action against the United States to recover a portion of the costs of removal and remedial action, pursuant to CERCLA. The team secured a settlement for Guam of \$48.9 million for past costs and \$15 million for future costs.

Serving on team representing the State of North Carolina in litigation in North Carolina Superior Court seeking relief against DuPont and Chemours for pervasive GenX contamination from their manufacturing plant in Fayetteville, North Carolina.

Serving on teams representing states and sovereigns, including New Mexico, Hawaii, Indiana, and Washington, in litigation relating to contamination from PFAS-containing aqueous film-forming foam (AFFF), currently consolidated in a multidistrict litigation in the United States District Court for the District of South Carolina, *In Re: Aqueous Film-Forming Foams Products Liability Litigation*, MDL No. 2:18-mn2873-RMG.

Served on team representing the City of Huntington Beach in the Central District of California. The litigation against Amplify Energy Corp., Beta Operating Company, LLC, and San Pedro Bay Pipeline Company arose from a spill of crude oil in the San Pedro Bay and involved claims brought pursuant to federal, state, and maritime law. The matter settled in 2024.

Related Services

Environmental
Environmental Litigation
Environmental Regulation
PFAS and Emerging Contaminants

Education

Columbia Law School, J.D.

- Harlan Fiske Stone Scholar
- Alfred S. Forsyth Award Recipient, Columbia Journal of Environmental Law, notes editor

The University of Chicago, B.A.

- Political Science and Environmental and Urban Studies, Phi Beta Kappa, Howell Murray Alumni Association Award for Student Leadership

Admissions

New York

Languages

French