

Partner

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Practice Areas

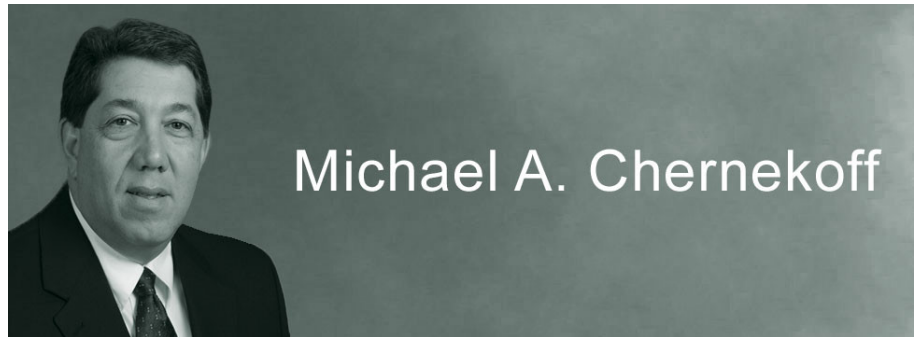
Business & Commercial Litigation
Class Action Defense
Corporate Compliance & White
Collar Defense
Economic Development
Energy
Environmental & Toxic Torts
Real Estate: Land Use,
Development & Finance

Bar Admissions

District of Columbia, 1980
Louisiana, 1982
Texas, 2006

Education

The George Washington
University Law School, J.D., 1980,
cum laude
Tulane University, B.A., 1977



Mike Chernekoff is a member of the firm's Business & Commercial Litigation and Real Estate Practice Groups. His practice focuses on the areas of environmental law and related areas of environmental litigation and toxic tort defense. His environmental practice has involved a broad spectrum of matters including air, water, and waste permitting; regulatory compliance and assessment; due diligence and auditing; enforcement counseling and defense, and remediation and response action assessment and coordination. Recent matters of note have included: obtaining the first complete response costs reimbursement against the Environmental Protection Agency's Superfund after completion of an emergency response action pursuant to a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Section 106 Order; negotiating an agreement with the State of Louisiana on behalf of a refinery under the EPA's New Source Review Initiative; and negotiating the first private party partial remedial action agreement with the State of Louisiana under its Voluntary Clean Up Program (Brownfield equivalent) placing contaminated property back into commerce.

Over the years, Mr. Chernekoff has been actively involved in federal and state environmental enforcement defense, both civil and criminal. He has also defended judicial permit challenges and environmental citizen suits. Mr. Chernekoff has been active in federal and state clean up actions, including under CERCLA and the Resource Conservation and Recovery Act (RCRA). He has experience in both CERCLA cost recovery reimbursement pursuit and cost recovery defense. He has served on PRP committees and has also served as PRP group counsel.

Mr. Chernekoff has defended company defendants in a number of complex toxic tort matters involving current and former waste sites and industrial facilities. Many of these have involved class action issues and punitive damage

issues. These actions have included claims for property damages and personal injuries (including fear and medical monitoring) as a result of releases to air, surface water, and groundwater.

Mr. Cherneloff started his career at the U.S. Environmental Protection Agency in Washington, D.C., as an attorney advisor in the Office of Air, Mobile Source Enforcement from 1981 until joining Jones Walker in June 1982.

Mr. Cherneloff has written and presented on a variety of environmental topics including criminal enforcement, civil enforcement, compliance auditing, due diligence, Brownfield reclamation projects, and CERCLA, RCRA, and Clean Water Act programs.

Noteworthy

- Listed in *The Best Lawyers in America*® 2008 (Copyright 2007 by Woodward/White, Inc., Aiken, SC) in the area of Environmental Law (also listed in 2007)
- Recognized in "*Chambers USA – America's Leading Lawyers for Business*" in the area of Environment (annually since 2006)
- Listed in the 2008 edition of *Louisiana Super Lawyers* in the area of Environmental Litigation (also listed in 2007)
- **AV® Peer Review Rating in Martindale-Hubbell.** *CV, BV and AV are registered certification marks of Reed Elsevier Properties Inc., used in accordance with the Martindale-Hubbell certification procedures, standards and policies. Martindale-Hubbell is the facilitator of a peer review rating process. Ratings reflect the confidential opinions of members of the Bar and the Judiciary. Martindale-Hubbell Ratings fall into two categories—legal ability and general ethical standards.*

Presentations

- "Environmental Issues: Louisiana, Post Katrina"
Houston Bar Association Environmental Section Meeting, April 11, 2007
- "Update on CERCLA Issues"
Louisiana State University Environmental Law Seminar, March 17, 2006
- "Louisiana's Voluntary Remediation Program: Banking on the Certificate of Completion, A Case Study"

Environmental Bankers Association, Semi-Annual Meeting, New Orleans, Louisiana, January 16–18, 2005

- "The Class Action in Environmental Litigation"
New Orleans, Louisiana, September 19, 2003
- "The Federal Brownfield Statute" and "The DEQ's Voluntary Remediation Program"
Advanced Environmental and Toxic Tort Issues Seminar, Lod Cook Conference Center, Louisiana State University, May 17, 2002

Publications

- "Will Hurricane Katrina Further Define the 'Act of God' Defense?"
Oil, Gas & Energy Resources Section Report. State Bar of Texas, Vol. 30, No. 2, February 8, 2006
- "When the EPA Comes Knocking at Your Door with Weapons and Search Warrant in Hand"
Louisiana Bar Journal, Vol. 49, No. 1, June 1, 2001
- *Louisiana Environmental Handbook*
Lawyer's Cooperative Publishing, 1992; West Group, 1997

Memberships

- American Bar Association (Member, Sections on Environment, Energy and Resources and Litigation; Vice Chair, Environmental Enforcement and Crimes Committee, 2005–2007; Member, Section on Tort Trial and Insurance Practice, Toxic Tort and Environment Law Committee; Member, Section on Litigation, Environmental Litigation Committee)
- District of Columbia Bar
- DRI
- Federal Bar Association
- Houston Bar Association
- Louisiana State Bar Association (Past Chairman, Section on Environmental Law)
- New Orleans Bar Association
- State Bar of Texas

Court Admissions

U.S. Supreme Court, 1988
5th Cir., 1982
D.C. Cir., 1981
E.D. La., 1982
M.D. La., 1982
W.D. La., 1987
E.D. Tex., 2007
N.D. Tex., 2006
S.D. Tex., 2006

