

ANNUAL CONFERENCE

prop.65clearinghouse

MONDAY, SEPTEMBER 23, 2019

JULIA MORGAN BALLROOM

2:45 to 3:45

New Chemical Listings: How to Make Sure Your Company Stays Compliant

New Chemical Listings

Moderator: **Margaret Whittaker**, Managing Director & Chief Toxicologist, ToxServices

Panel: **Sophia Castillo**, Partner, Downey Brand
Ann Grimaldi, Principal, Grimaldi Law Offices
Ryan Landis, Principal, Polsinelli
Tom Lee, Partner, Bryan Cave Leighton Paisner

Bios

Margaret Whittaker

Managing Director & Chief Toxicologist, ToxServices

Dr. Margaret “Meg” Whittaker is the Managing Director and Chief Toxicologist of ToxServices LLC. Dr. Whittaker is one of the pioneers in the field of chemicals alternatives assessments, and is a key contributor to advancing these methods around the world. She is an accomplished human health risk assessor, and performs quantitative exposure and risk assessments for projects including California Proposition 65 safe harbor assessments, medical device extractables and leachables assessments, and cosmetics/personal care product assessments, among others.

Dr. Whittaker is a Diplomate of the American Board of Toxicology who earned a Ph.D. in Toxicology from The University of Maryland, Baltimore and an M.P.H. in Environmental Health from The University of Michigan. Dr. Whittaker is a U.K./EuroTox Registered Toxicologist, as well as a Chartered Biologist and Fellow of the U.K. Royal Society of Biology.

Sophia Castillo

Partner, Downey Brand

Sarah Esmaili focuses on litigation defending clients in California Proposition 65, consumer protection, and class action cases. She has represented companies in failure to warn claims involving a wide range of consumer product and service industries. She often handles cases

involving newly emerging chemical exposure claims where she works with experts in the fields of toxicology and epidemiology. She has experience in joint representation of companies in cases that concern issues of industry-wide significance and has represented industry groups as plaintiffs in litigation that challenges regulations. She has expertise in developing creative settlement solutions that are tailored to business objectives. Ms. Esmaili's practice also includes counseling companies with respect to a variety of regulatory product safety laws.

Ms. Esmaili has experience in all phases of litigation. She participated in the San Francisco District Attorney's volunteer program where she successfully prosecuted several jury trials.

Ms. Esmaili has handled significant pro bono matters. Her experience includes developing and preparing a petition for habeas corpus in a death penalty case where she managed a team of attorneys and which resulted in the California Supreme Court issuing an order for further proceedings based on juror misconduct claims. She has also successfully handled political asylum cases. She's the recipient of the Keta Taylor Colby Pro Bono Award.

Ann Grimaldi

Principal, Grimaldi Law Offices

Ann maintains a diverse practice centered on chemical regulation, with primary focus on Proposition 65, California's Green Chemistry Initiative/Safer Consumer Products Regulations, nanomaterial regulation, and the federal Toxic Substances Control Act (TSCA). Her diverse client base consists of entities operating at every point across supply chains, from chemical manufacturers to consumer product retailers, and in a variety of industries including dietary supplements, cannabis, pesticides, life sciences, art materials, furniture, plumbing products and more. Ann's extensive Proposition 65 litigation experience is an invaluable foundation for her compliance counseling services, which includes in-house training.

Ann graduated magna cum laude from the University of California Hastings College of the Law. Prior to studying law, Ann worked for several years as a research associate in the fields of molecular biology and cell biology, primarily at the University of California, San Francisco School of Medicine. She has published in The Journal of Cell Biology and in Current Protocols of Molecular Biology.

Ryan Landis

Principal, Polsinelli

As a shareholder in the Polsinelli Los Angeles office, Ryan Landis's legal practice involves environmental and toxic tort litigation and regulatory compliance.

Ryan heads up Polsinelli's Prop 65 practice. He has defended companies in Prop 65 litigation enforcement matters for more than 15 years. In addition to litigation defense, Ryan also advises companies on Prop 65 regulatory compliance and risk management measures. His clients have ranged from large retailers to vendors and manufacturers, in industries including: sports and fitness products; food and dietary supplements, automotive materials; safety and home/business protection products; cleaning product manufacturers; personal care and cosmetic products; transportation companies; and home-care appliance products.

Ryan's practice also focuses on federal and state environmental counseling and litigation with an emphasis on petrochemical and agricultural product regulations, hazardous waste and groundwater contamination, environmental auditing, air quality management, and hazardous waste cleanup.

Ryan received his Bachelor of Science in Environmental Law, Policy and Planning from University of California at Berkeley and his law degree from the University of San Diego School of Law.

Tom Lee

Partner, Bryan Cave Leighton Paisner

Thomas Lee is a member of the firm's Energy, Environment, and Infrastructure, and Commercial Litigation

and Client Service Groups and focuses his practice in the areas of environmental compliance and commercial litigation.

Mr. Lee has extensive experience counseling retail and manufacturing clients on their compliance with California's Proposition 65, and defending enforcement actions brought against them. Mr. Lee regularly advises clients on enforcement trends, changes in regulations, and changes in safe harbor levels, all of which are essential to ensure compliance and avoid enforcement actions. As part of those efforts Mr. Lee has conducted compliance audits and provided compliance training to update clients' testing protocols and warning labels. In addition, Mr. Lee has defended numerous retailers and manufacturers in private enforcement actions alleging violations of Proposition 65. From the time that a client receives a 60-day notice of violation Mr. Lee counsels them through the process of evaluating the risk through testing, determining whether a product recall, reformulation or warning label is necessary, and negotiating either a dismissal or reasonable settlement with the enforcement group.