

# ANNUAL CONFERENCE prop.65clearinghouse

MONDAY, SEPTEMBER 23, 2024

JULIA MORGAN BALLROOM

## 10:00 to 11:00 **PFAS: What You Need to Know When Testing or Defending a Product**

Moderator: **Laura Zuckerman**, Supervising  
Deputy Attorney General

Panel: **Justin Burmeister**, Director of  
Chemistry and Business  
Innovation, Applied Technical  
Services (ATS)

**Lynn Fiorentino**, Partner, ArentFox Schiff

**Thomas Lewandowski**, Principal,  
Gradient

**Mark Todzo**, Partner, Lexington Law Group

**PFAS: What You Need to Know**

## Bios

### **Laura Zuckerman**

Supervising Deputy Attorney General

Laura Zuckerman is a Supervising Deputy Attorney General in the Environment Section of the California Department of Justice. Prior to joining the Environment Section in 2006, she spent five years as a member of the Attorney General's Energy Task Force, engaging in large-scale investigation of, and complex civil litigation involving, the California energy industry. Before joining the Attorney General's Office, Ms. Zuckerman practiced complex civil litigation at McCutchen, Doyle, Brown & Enersen, where she began her litigation career after clerking for the Honorable William H. Orrick, Jr., United States District Court, San Francisco.

At the Attorney General's Office, a significant portion of Ms. Zuckerman's work consists of matters undertaken in the Attorney General's independent capacity to enforce environmental laws, including Proposition 65 and other statutes relating to protection of human health and the environment.

Ms. Zuckerman received her J.D. from UC Berkeley School of Law, where she was an Articles Editor for the Ecology Law Quarterly. She received her A.B. magna cum laude in Social Studies from Harvard University.

## **Justin Burmeister**

### **Director of Chemistry and Business Innovation, Applied Technical Services (ATS)**

Justin Burmeister currently holds the position of Director of Analytical Services and Business Innovation for Applied Technical Services, LLC (ATS), an engineering, testing, inspection and certification firm headquartered in Marietta, GA. Justin has worked at ATS for 18 years and during that time has provided technical consulting to a variety of industries including in the consumer products, automotive, aviation, power generation, defense and medical device markets. He graduated from Mercer University and holds a degree in Chemistry, Biochemistry and Business Administration.

## **Lynn Fiorentino**

### **Partner, ArentFox Schiff**

Lynn co-chairs the Consumer Products Industry Group and Class Actions Group and focuses her practice on complex commercial litigation, including class actions, white collar criminal defense and government investigations, and Proposition 65 compliance and litigation. Lynn also serves on the Executive Committee of the Bay Area chapter of the Women's White Collar Defense Association and is a leader of ArentFox Schiff's Women's Initiative.

Lynn's diversified practice allows her to function as a trusted advisor to companies and individuals across a broad array of industries and practice areas, including in the consumer products space, all forms of civil litigation, with a focus on class actions and Proposition 65, and white collar criminal litigation and government investigations.

In the civil arena, Lynn defends clients in cases involving alleged financial fraud, employment and wage and hour violations, unfair competition under Business & Professions Code Section 17200, and Proposition 65 violations. Lynn also represents alcohol beverage suppliers and distributors in breach of contract and business tort litigation. She has extensive experience drafting pretrial motions and discovery, arguing motions in state and federal court, and taking and defending depositions of plaintiffs, fact witnesses, corporate representatives, and expert witnesses.

In the criminal arena, Lynn represents clients in the defense of the Foreign Corrupt Practices Act, False Claims Act, Clean Water Act, and money laundering and antitrust laws. She also defends students in Title IX university disciplinary matters with parallel criminal proceedings. Lynn has extensive experience defending business organizations, employees, and witnesses and representing victims in government investigations and criminal actions. Her broad experience also includes conducting internal investigations in white collar matters and governmental investigations and interfacing with state and federal prosecutors. Lynn has criminal trial experience in state and federal court.

Under Proposition 65, Lynn has defended countless businesses in notices of violations across a broad array of product lines and chemical compositions, both pre-litigation and in litigation. In addition, she routinely counsels corporate clients to develop and enhance compliance programs under Proposition 65 and the California Cleaning Product Right to Know Act.

Prior to joining ArentFox Schiff, Lynn was an associate at an international law firm, where she practiced in the Government Investigations & White Collar Defense group. Lynn also spent eight weeks conducting jury trials at the Marin County District Attorney's office as part of a trial externship program with her prior firm. Prior to becoming an attorney, Lynn worked for a global pharmaceutical company selling medications to treat diabetes and congestive heart failure.

Outside of the law, Lynn is dedicated to her workout routines, which include bootcamp and boxing classes, running and hiking. She loves dogs, cooking, traveling to warm climates, and entertaining friends and family.

## **Thomas Lewandowski**

### **Principal, Gradient**

Dr. Lewandowski is a toxicologist and chemist working in Gradient's Seattle, Washington office. He has over 30 years of experience in the areas of product safety evaluation, pharmacokinetics, metals toxicology, and developmental toxicology. He has helped numerous clients respond to 60-day notices and avoid receiving such notices by understanding the likelihood that different materials in their products contain Prop65-listed chemicals.

He has also developed Proposition 65 safe harbor limits and designed supply chain chemical testing programs. Tom is board certified as a toxicologist in both the US and Europe. He is an affiliate faculty member at the University of Washington School of Public Health where he lectures on toxicology and risk assessment. He is the author of numerous publications related to risk assessment methods (in particular the use of computer models).

## **Mark Todzo**

### **Partner, Lexington Law Group**

Since 1993, Mark N. Todzo has devoted his practice of law to the representation of plaintiffs in consumer and environmental protection litigation. In that time, he has represented aggrieved individuals, nonprofit organizations and public entities in litigation that has curbed abusive and illegal corporate practices. Mr. Todzo's varied work has, among other things, helped to remove toxic chemicals from the environment, increased staffing in nursing homes, reformed deceptive advertising practices and recovered millions of dollars for the benefit of consumers. Mr. Todzo has argued cases in state and federal trial courts as well as courts of appeal and the California Supreme Court.

Mr. Todzo has focused much of his legal practice on eliminating and reducing toxic chemicals in consumer products as well as the emission of toxic chemicals and individuals' exposure to such chemicals. He has been a tireless advocate in cases seeking to remove lead from a host of children's products and the environment.

Mr. Todzo has served as class counsel in numerous class action lawsuits as well as liaison counsel in complex coordinated actions. He was lead counsel in a case that resulted in the removal of over 500,000 pounds of lead per year from California roadways and has represented classes of individuals in a variety of different cases including a class of purchasers of fake organic products sold by Hain Celestial and a class of Comcast subscribers who were blocked from using peer-to-peer file sharing programs in breach of their contracts.

Mr. Todzo is currently working on Proposition 65 cases seeking to reduce or eliminate the use of BPA in polyester socks and other products and "forever" PFAS chemicals from groundwater surrounding industrial facilities. He was successful in obtaining a reduction in emissions of hexavalent chromium in Paramount, California and styrene from factories throughout southern California. He also played a leadership role in the litigation against Southern California Gas Company relating to the 2015 methane gas blowout in Aliso Canyon, obtaining one of the few seven figure Proposition 65 settlements.

Mr. Todzo joined the Lexington Law Group, LLP in 1998 and is a principal of the firm. Mr. Todzo received his law degree from Hastings College of the Law in 1993 and received an A.B. from Duke University in 1986. In addition to the practice of law, Mark enjoys rock and mountain climbing, running, and biking.