

ANNUAL CONFERENCE

prop.65clearinghouse

MONDAY, SEPTEMBER 23, 2024

JULIA MORGAN BALLROOM

Breakout Sessions

4:00 to 5:00 **What Are the Advantages and Disadvantages for Opt-In and Industry Wide Settlements?**

Round Table: **Joe Mann**, Senior Counsel, Lexington Law Group
Jeff Margulies, Partner, Norton Rose Fulbright
J. Robert Maxwell, Partner, Rogers Joseph O'Donnell

Bios

Joe Mann

Senior Counsel, Lexington Law Group

Joe Mann joined the Lexington Law Group in September 2012 and is currently Senior of Counsel at the firm. His practice includes representing plaintiffs in public interest litigation involving consumer rights, corporate accountability, and removing toxic chemicals from consumer products. Prior to joining the Lexington Law Group,

Mr. Mann worked as a litigation attorney for the National Environmental Law Center, a non-profit organization specializing in the enforcement of federal environmental laws against the nation's most egregious polluters. His practice focused on citizen enforcement suits under the Clean Water Act, the Clean Air Act, and the Endangered Species Act. He also brought several successful challenges against the federal government itself, striking down insufficiently protective rules promulgated by the U.S. Environmental Protection Agency.

Prior to that, Mr. Mann spent a year as the Law Clerk to U.S. District Court Judge Irma E. Gonzalez in the Southern District of California. Mr. Mann earned his J.D. degree from New York University School of Law in 1999, where he served as Editor-in-Chief of the NYU Environmental Law Journal. He received his undergraduate degree, a B.A. in Philosophy, from Northwestern University in 1991.

Jeff Margulies

Partner, Norton Rose Fulbright

Jeff Margulies focuses on litigation, compliance, and regulatory issues regarding consumer products and the companies that manufacture, distribute, and sell them. Jeff's litigation prac-

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tice includes consumer class action litigation matters relating to false advertising, product compliance and privacy issues, as well as complex commercial litigation. His regulatory practice involves a variety of state, federal and international environmental, product safety, chemical management and related regulatory issues, advertising and labeling requirements, and encompasses compliance, enforcement and litigation.

Jeff has extensive litigation experience in complex commercial, consumer, and personal injury litigation, including federal and state jury and bench trials in cases involving pharmaceutical product liability, asbestos, false advertising and privacy consumer class actions, environmental contamination, and regulatory litigation including CEQA, administrative rulemaking, and California Proposition 65 enforcement actions. Jeff also has an active appellate practice, with more than a dozen published appellate decisions in which he was the lead author for a party or amicus.

Jeff has been active in Proposition 65 compliance and enforcement activities since the late 1980s, and has been involved in many industry-wide and precedential actions, including:

- People v. Warner-Lambert (calcium and antacid products)
- People v. Cotter & Company (federal preemption)
- NPCA v. California (constitutional challenge to private enforcement)
- Mateel v. TJ Maxx (lead crystal retail warnings)
- DiPirro v. JC Penney (cosmetics and painted glassware)
- Consumer Cause v. Johnson & Johnson (medical devices)
- People v. FieldTurf (artificial turf)
- People v. Mattel (toys)
- In Re Vaccine Cases (vaccines)
- CEH v. Lulu NYC (fashion accessories)
- In Re TiO₂ Powdered Cosmetic Cases
- CEH v. Easy Spirit/CEH v. Athleta (socks and activewear)

Jeff received his BS in Psychology from Duke University in 1982 and his JD from Villanova Law School in 1986.

J. Robert Maxwell

Partner, Rogers Joseph O'Donnell

James Robert Maxwell is a shareholder specializing in retail trade and complex commercial litigation. Mr. Maxwell is a member of the firm's Trade Regulation, Complex Commercial Litigation and Environmental Law Practice Groups. His practice areas include unfair trade, Proposition 65, white collar crime, government contracts and medical device related litigation. He practices in state and federal court and has handled mediations, arbitrations and representations before various administrative tribunals. He also provides regulatory advice to clients in all these areas.

Professional Qualifications

With over 25 years of experience, Mr. Maxwell specializes in complex civil and criminal litigation and in providing regulatory advice. His litigation and counseling practice focuses mainly on unfair trade practices, Proposition 65 and medical device related litigation. Mr. Maxwell is widely recognized for representing national and regional retailers and distributors in antitrust, unfair business practices, Proposition 65, and other consumer protection litigation in state and federal court. He has extensive experience responding to prosecutions for unfair trade practices brought by the State Attorney General's office, local District Attorneys, and the private plaintiff's bar.

Mr. Maxwell also has considerable white collar crime experience handling internal investigations for FDA-regulated medical device and pharmaceutical companies, and in ensuing civil litigation. His government contracts experience includes representing large and small contractors in disputes with the federal government and in federal, state and locally funded public works and public transit projects.

As part of his practice, Mr. Maxwell advises clients on regulatory compliance issues. He has significant experience advising clients on internet sales, and issues affecting sales of regulated products including alcohol and tobacco. He is an active member of the State Bar's Antitrust and Unfair Competition Law Section.

Education

J.D., University of Michigan Law School

B.A., Texas Christian University
Cum Laude
Institute of European Studies, Paris, France