

## CONTACT

mgoodstein@vnf.com  
202.298.1800

## PRACTICES

Air  
Litigation & Investigations  
Native Affairs  
Waste & Hazardous Substances  
Water

## EDUCATION

Cornell Law School  
Brown University

## BAR AND COURT ADMISSIONS

District of Columbia Bar  
Maryland State Bar  
Florida State Bar  
New York State Bar  
U.S. District Court for the District of Columbia  
U.S. District Court for the District of Colorado  
U.S. District Court for the Southern District of New York  
U.S. Court of Appeals for the Federal Circuit  
U.S. Court of Appeals for the District of Columbia Circuit  
U.S. Court of Appeals for the Fourth Circuit  
U.S. Court of Appeals for the Eleventh Circuit  
U.S. Court of Federal Claims  
U.S. Supreme Court  
U.S. District Court for the Eastern District of New York  
U.S. District Court for the Southern District of Florida  
U.S. District Court for the Middle District of Florida  
Supreme Court of Florida  
District of Columbia Court of Appeals  
Maryland Court of Appeals

## MICHAEL D. GOODSTEIN PARTNER



## Professional Background

With over 30 years of experience, Michael Goodstein's practice includes environmental legal issues arising under federal, state, local, and tribal environmental laws, including regulatory matters, natural resource and property damage, and related insurance coverage. He helps clients identify and address environmental risks, as well as pursue and defend environmental claims, including negotiation, mediation, litigation, counseling and liability structuring. He uses his 360-degree view of environmental law to strategically advise and work with clients to achieve optimal results. Michael is regularly recognized by his peers as a top environmental lawyer and serves on the leadership council of the Environmental Law Institute.

Prior to joining Van Ness Feldman, Michael previously headed the Washington, DC office for Hunsucker Goodstein PC, with lead counsel responsibilities in a wide variety of environmental matters for public and private clients, including litigation involving federal and state environmental laws, natural resource and property damage, toxic torts, and insurance coverage.

Michael also served with the United States Justice Department in the Environmental Enforcement Section for 12 years. He was twice awarded the John Marshall Award, one of the Department of Justice's highest honors, for outstanding legal achievement. He has also received the Gold Medal from the Administrator of the United States Environmental Protection Agency for his contributions to the Clean Water Act enforcement program.

While serving with the Justice Department, Michael represented the United States on a number of landmark cases under the Superfund law, the Resource Conservation and Recovery Act, the Clean Water Act, the Clean Air Act, and the Safe Drinking Water Act. These cases included *United States and Texas v. Koch Industries*, a multi-state Clean Water Act enforcement action which involved over 300 oil spills, and *United States v. Smithfield Foods*, which resulted in the highest Clean Water Act penalty ever assessed after trial at the time.

Prior to joining the Department of Justice, Michael was an Assistant County Attorney in Miami, Florida, representing Metropolitan Dade County in environmental, land-use and labor matters.

Michael previously served as co-coordinator of Van Ness Feldman's Litigation and Investigations Practice.

## Representative Experience

- Representing a refining company in indemnification action for contribution of costs to address historical contamination at a refinery site in Virginia.
- Serving as Environmental Counsel for an Indian Tribe, including on issues of environmental and cultural resources such as water rights adjudication, Clean Water Act and Safe Drinking Water Act matters, landfill cleanup, and protection of sacred sites.
- Representing an Indian Tribe in various environmental and breach of trust matters.
- Representing a southern U.S. state in a regional air pollution reduction initiative.
- Representing leading environmental groups as amicus curiae parties before U.S. Supreme Court in landmark Clean Air Act case (*Environmental Defense v. Duke Energy*, 2006).

- Serving as Senior Attorney and Trial Attorney with United States Department of Justice Environmental Enforcement Division. Lead counsel on landmark cases under CERCLA (Superfund), RCRA, the Clean Water Act, the Clean Air Act, and the Safe Drinking Water Act.
- Serving as Assistant County Attorney. Handled environmental, land-use and labor matters, including trials and appeals.

## Government Service

### U.S. Department of Justice

Senior Attorney and Trial Attorney, Environmental Enforcement Section, February 1988-December 2000

### Dade County, Florida

Assistant County Attorney, May 1984-February 1988

## Awards and Honors

### "Best Lawyers in America" by *Best Lawyers*

Environmental Law, 2021-2024

### Legal 500 - Recommended Attorney

Native American Law, 2021

### Who's Who Legal, Environment 2020

Thought Leader

### Super Lawyers - Washington, DC

2012-2020

### Best Lawyers - Washington, DC

2023

### Environmental Excellence Award

National Association of Environmental Professionals, 2011

### Attorney General's John Marshall Award, United States Department of Justice

For extraordinary performance in litigation as lead counsel, 2000

### Special Achievement Award, United States Department of Justice

For outstanding performance of duties, 2000

### Bronze Medal for Commendable Service, United States Environmental Protection Agency

For outstanding performance in a national RCRA enforcement action, 1999

### Special Achievement Award, United States Department of Justice

For sustained outstanding performance as a Senior Attorney, 1999

### Gold Medal for Exceptional Service, United States Environmental Protection Agency

For major contributions to Clean Water Act enforcement, 1998

### Attorney General's John Marshall Award, United States Department of Justice

For extraordinary performance in litigation as supervisory attorney, 1998

#### **Special Commendation, United States Department of Justice**

For successful negotiation of an innovative multi-media national enforcement settlement, 1997

#### **Bronze Medal for Commendable Service, United States Environmental Protection Agency**

For extraordinary achievements on Clean Air Act enforcement actions, 1993

#### **Bronze Medal for Commendable Service, United States Environmental Protection Agency**

For outstanding performance in the negotiation of a \$126 million Superfund cleanup, 1992

#### **Special Achievement Award, United States Department of Justice**

For sustained outstanding performance as a Trial Attorney, 1990

### **Articles and Presentations**

- 2023 BSI Connect Summit: Shaping Our Future For Impact, Tempe AZ, 04/11/2023
- Tribal Natural Resource Damage Assessments, Law Seminars International, Seattle WA, 12/16/2019
- Latest Perspectives on Vapor Intrusion Litigation, ABA Section of Litigation Environmental and Energy Litigation Committee, 06/28/2018
- International Municipal Lawyers Association 79th Annual Conference, Baltimore MD, 09/10/2014
- National Association of Environmental Professionals 37th Annual Conference, Portland OR, 05/21/2012
- Pushing the Envelope on Brownfield Remediation: Strategies and Case Studies That Maximize Limited Resources Through Alternative Funding Sources, Environmental Practice, Vol. 13 Issue 2 pp. 130-142, 06/01/2011
- National Association of Environmental Professionals 36th Annual Conference, Denver CO, 04/28/2011

### **Alerts**

- Business Interruption Insurance Coverage for COVID-19 Losses - Recent Developments, 04/20/2020
- Business Interruption Insurance Coverage: Four States at the Forefront of Responding to COVID-19 Losses, 04/01/2020
- COVID-19 Insurance Impacts, 03/19/2020