



## Ed Cohen

Partner

St. Louis  
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### PRACTICES

- Environmental Litigation
- Commercial Litigation

### EDUCATION

- Washington University School of Law, J.D., 1982, Editorial Board, Washington University Law Quarterly
- Tulane University, B.A., cum laude, 1979
- University of Newcastle-upon-Tyne, England, Honors Program For Junior Year Abroad Program, 1977-1978

### ADMISSIONS

- Illinois
- Missouri
- Illinois USDC, Central District
- Illinois USDC, Northern District
- Illinois USDC, Southern District
- Indiana USDC, Northern District
- Indiana USDC, Southern District
- Michigan USDC, Eastern District
- Missouri USDC, Eastern District
- US Ct Appeals, 7th Circuit (Covers IL, IN, WI)
- US Ct Appeals, 8th Circuit (Covers AR, IA, MN, MO, NE, ND, SD)
- US Ct Appeals, 9th Circuit (AZ, CA, HI, ID, MT, NV, OR, WA, Guam, M. Isles)

### AFFILIATIONS

- Chemical Industry Council of

Ed has substantial experience in a wide range of complex lawsuits, most of which involve multi-party environmental litigation.

His litigation work is national in scope and includes complex environmental and commercial disputes. Ed practices out of the Firm's Chicago and St. Louis offices and has been listed in *Chambers USA* (2009-2019 by Chambers & Partners), *The Best Lawyers in America* (2012-2022, including 2017 "Lawyer of the Year for Environmental Law" for St. Louis and 2015 "Lawyer of the Year for Litigation - Environmental" for St. Louis by BL Rankings) and *Missouri & Kansas Super Lawyers* "Top 50 Lawyers in St. Louis" in 2011-2012 by Thomson Reuters. Ed served as co-chair of the Firm's environmental practice group for years.

In addition to his several decades of experience guiding clients through a wide variety of complex environmental lawsuits, Ed has also handled a number of enforcement actions and substantial citizen suits. He has been involved in insurance coverage disputes involving environmental claims. Ed has also handled more than 50 indoor air quality matters, involving vapor intrusion, toxic mold issues and Legionella/Legionnaires issues. He has served as lead counsel on Clean Water Act, Clean Air Act, CERCLA, FIFRA and RCRA cases. He also served as lead counsel on one of the largest Brownfields developments in the Chicago area.

Ed has served as lead counsel on a number of lawsuits involving underground storage tanks. He has litigated matters involving the Missouri Air Conservation Commission, the Clean Water Commission, the Hazardous Waste Commission and the Illinois Pollution Control Board. His groundwater cases have run the gamut from chlorinated solvents to MTBE to nitrogen issues. He has also handled a number of toxic tort suits. Ed has also first and second chaired a wide range of cases involving contract disputes and ones with significant actual and punitive damages claims based on business and traditional tort allegations, in addition to a white collar criminal practice.

### Recognitions

- Named Lawyer of the Year for Environmental Law in St. Louis by The Best Lawyers in America (by BL Rankings), 2017
- Named Lawyer of the Year for Litigation - Environmental in St. Louis by The Best Lawyers in America (by BL Rankings), 2015

#### Illinois

- Past Chair, Missouri Bar Environmental and Energy Law Committee
- American Bar Association, Section of Environment, Energy, and Resources, Tort and Insurance Practice and Litigation Sections, Environmental Litigation Committee
- The Bar Association of Metropolitan St. Louis, Prior Chair and Co-chair, ARCH Committee, Former Chair, Young Lawyers' Section
- United States Arbitration & Mediation, Arbitration Panel
- American Arbitration Association, Formerly on Panel of Neutrals
- Pinnacle Arbitration & Mediation Services, Formerly on Panel of Neutrals

#### EMPLOYMENT

- Thompson Coburn LLP Partner, 1992-Present; Associate, 1986-1991
- United States Army Judge Advocate General's Corps, 1982-1986
- Chief Prosecutor, Fort Rucker, Alabama 1984-1986
- Special Assistant United States Attorney, Middle District, Alabama 1984-1986

- Listed in Missouri & Kansas Super Lawyers (by Thomson Reuters), 2005-2020
  - Top 50 Lawyers in St. Louis, 2011-2012
- Listed in "Chambers USA" for Environment in Missouri; St. Louis & Surrounds, 2019-2022 (by Chambers & Partners)
- Listed in The Best Lawyers in America (by BL Rankings), 2012-2023

#### Presentations

- Citizens Get Active - Vapor Intrusion, Environmental Justice, and Emerging Litigation, Co-Presented with Eric E. Boyd; The Chemical Industry Council of Illinois Hot Topics Program; Chicago, IL; June, 2019
- Citizen Suits – What Does This Mean to Your Company?; The Chemical Industry Council of Illinois and the Gateway Society of Hazardous Materials Managers; October 2017
- How to Prevent Your Project From Being Stopped by a Citizen's Group Lawsuit: The Story Behind the Story of the RTC Southwest Connector Litigation; APWA Nevada Chapter, 2017 Fall Conference; September 2017
- "Vapor Intrusion: Federal Illinois and Missouri Issues"; The Chemical Industry Council of Illinois and Gateway Society of Hazardous Materials Managers, St. Louis, MO, September 10, 2015
- "Environmental Litigation and Compliance: Things to Remember to Avoid Environmental Disputes"; Japanese Chamber of Commerce and Industry of Chicago, Chicago, IL, February 20, 2014
- "Brownfields: How to Get Off on the Right Foot"; Illinois Tax Increment Association Fall Conference, Chicago, IL, October 18, 2012
- "Environmental Litigation and Compliance"; Miscellaneous Locations, Tokyo, Japan, October 2012
- "REACH"-- Registration, Evaluation, Authorization, and Restriction of Chemicals: Annual Update on the EU's "New" Directive; The Chemical Industry Council of Illinois, Chicago, IL, February 20, 2014
- "Nuisance Suits in the Environmental Context: Are They Just A 'Nuisance' or Something More Substantial?"; 2011 Missouri Environmental Conference at the Lake, Missouri Chamber of Commerce, July 28, 2011
- "Enforcement and Citizen Suits"; The Chemical Industry Council of Illinois, January 27, 2011
- "Managing Legal and Communication Issues in Environmental Emergencies"; 2009 Missouri Environmental Conference at The Lake, Missouri Chamber of Commerce, Osage Beach, MO, July 31, 2009
- "Expert Witness Admissibility"; 2009 National Society of Professional Insurance Investigators Regional Seminar, April 14, 2009
- "Hot Legal Topics"; 2008 Missouri Environmental Conference at The

## COMMUNITY

- Washington University, Alumni Board of Governors, 2011-2017
- Trailnet, Past Member, Board of Directors
- MERS/Missouri Goodwill Industries, Past Member, Board of Directors, Executive Committee
- Leadership St. Louis, Class of 2005-06
- Washington University School of Law Alumni Association, Past President
- ABA High School Peer Mediation Project, Past Instructor
- Multiple Sclerosis (MS) 150 Bike Ride, "Lifetime" Rider/Fundraiser

Lake, Missouri Chamber of Commerce, Osage Beach, MO, July 31, 2008

- "REACH"-- Registration, Evaluation, Authorization, and restriction of Chemicals: An Overview of the EU's New Directive; The Chemical Industry Council of Illinois, Chicago, IL, April 9, 2008
- "Environmental Law Update"; 2006 Missouri Environmental Conference at The Lake, Missouri Chamber of Commerce, Osage Beach, MO, July 27, 2006
- "Environmental Caselaw Update"; Missouri Bar Association, Jefferson City, MO, November 18, 2005
- "Mold Litigation: Who is being sued, Why and What can you do about it?"; St. Louis, MO, January 9, 2004; March 19, 2004

## Publications

- Co-Author, How the Atlantic Richfield Decision May Impact the EPA Model Consent Decree Template, *Thompson Coburn Insights*, May 29, 2020
- Co-Author, EPA Reveals First 10 Chemicals to be Reviewed Under a More Robust Toxic Substances Act, *Thompson Coburn Insights*, December 2016
- Author, "REACH - Registration, Evaluation, Authorization and Restriction of Chemicals: An Overview of the EU's New Directive"; *Thompson Coburn LLP*, 2007
- Co-Author, "New EU Regulations Cover Wide Range of Electrical Products"; *Midwest In-House*, July 2006
- Co-Author, "The Supreme Court Severely Limits Cost Recovery Options for Environmental Cleanups"; *Midwest In-House*, January 2005
- "Litigation Involving Mold Problems is on the Rise"; *Thompson Coburn LLP Envirobrief*, 2002
- "Mold: Common Questions and Answers"; *American Bar Association Section of Real Property Probate & Trust Law, "E Dirt" Electronic Newsletter*, December 2002
- Co-Author, "Challenging Agency Enforcement Actions: New Developments and Some Not-So-Common Approaches"; *The St. Louis Bar Journal*, Summer 1998