



Olivier F. Theard

Associate

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PRACTICE AREAS

- Litigation
- Environmental
- Construction and Infrastructure

INDUSTRIES

- Climate Change and Clean Technology

OVERVIEW

Mr. Theard practices in the Business Trial Practice Group in the Los Angeles office of Sheppard, Mullin, Richter and Hampton LLP.

Areas of Practice

- Environmental litigation and administrative disputes under the Clean Air Act, CERCLA and other federal and state environmental laws.
- Experience in Proposition 65 compliance and litigation.
- Experience in California's chemistry and consumer products laws.
- Extensive experience preparing administrative petitions and representing clients in hearings and proceedings before the South Coast Air Quality Management District, the Department of Toxic Substances Control, and various California Regional Water Quality Control Boards.
- Experience in toxic tort litigation regarding alleged injuries from benzene, chromium, asbestos, dioxins and other chemicals.
- Represent clients in complex business tort and contract disputes.
- Advise clients regarding compliance with consumer protection and environmental laws.
- Experience in recall proceedings before the National Highway Traffic Safety Administration and other consumer protection regulatory agencies.
- Extensive experience in drafting and defending pleadings, writing and defending motions in court, legal research, depositions, aspects of practice before the courts and administrative agencies.

EDUCATION

- J.D., University of Southern California, 2001
- B.A., Stanford University, 1998

CLERKSHIPS

- Legal extern for U.S. District Judge Nora Manella, Central District of California. In this capacity, Mr. Theard conducted substantial legal research and drafted judicial opinions on a variety of topics, including constitutional law, federal civil procedure, environmental law and business/corporate law disputes.

ADMISSIONS

- California

EXPERIENCE

Significant Matters

- Mr. Theard was an integral part of the legal team representing Venoco, Inc. in a major toxic tort litigation brought by alumni of Beverly Hills High School. Venoco prevailed on summary judgement. Mr. Theard has additional toxic tort defense experience on matters for Northrop Grumman Corporation, Consolidated Graphics, ExxonMobil and other companies.
- Mr. Theard has performed work for ExxonMobil in a multi-district environmental litigation involving alleged groundwater contamination by the oxygenate MTBE.
- Mr. Theard has represented large building contractors in asbestos claims, owners and developers in construction defect cases, and homeowners in mold litigation. Mr. Theard has defended clients involved in international environmental disputes regarding marine diesel engines, CERCLA, the Clean Air Act and related laws.
- Mr. Theard has provided advice and counsel on Proposition 65 and other chemical regulations, and has Proposition 65 litigation experience.
- Represents multiple clients in proceedings before the SCAQMD, the Regional Boards and other regulatory agencies.
- Representing client in significant recall matter before the National Highway Traffic Safety Administration.
- On a pro bono matter, Mr. Theard successfully obtained asylum for a woman based on the domestic-violence she suffered in her home country. Mr. Theard also routinely handles adoption cases for pro bono clients, many involving special needs children.

MEMBERSHIPS

- Executive Committee, Los Angeles County Bar Association Environmental Law Section
- Member, American Bar Association
- Member, Langston Bar Association (for African-American lawyers)
- Member, USC Alumni Association
- Member, Stanford Alumni Association

ARTICLES

- Compound Solutions, *Los Angeles Daily Journal*, December 15, 2008
- Sheppard Mullin Announces Launch of New Firm Diversity Programs, *Metropolitan News Enterprises*, November 14, 2008
- Catching the Green Wave, *Los Angeles Daily Journal*, June 11, 2008
- It's Getting Easier Being Green, *Los Angeles Daily Journal*, June 4, 2008
- The Global Warming Solutions Act (AB 32): Raising the Temperature of California Business, *California Environmental Insider*, March 15, 2008
- The Global Warming Solutions Act (AB 32): Raising the Temperature of California Business, *California Environmental Insider*, November 15, 2007
- Domestic-Violence Victims Deserve Uniform Asylum Rules, September 1, 2005

Climate Change & Clean Technology Law Blog Articles

- "Environmental Justice Groups Intensify Judicial and Legislative Campaign Against California's Proposed Cap-and-Trade Program", August 1, 2011

- "California Air Resources Board Concludes that Implementing Greenhouse Gas Reductions Mandated by Law Will Benefit California's Economy", April 8, 2010
- "EPA Issues Final Rule Regulating Emissions From Diesel Powered Stationary Reciprocating Internal Combustion Engines, Affecting Many Industrial Facilities," February 24, 2010
- "California Unveils Preliminary Draft Regulation For A Cap-And-Trade Program As One Of The Main Strategies To Reduce Greenhouse Gas Emissions That Cause Climate Change", December 21, 2009

Real Estate & Construction Law Blog Articles

- "Enforcement of California Low-Carbon Fuel Standard Blocked," January 6, 2012
- "Governor Brown Signs Two Bills Intended to Protect Children From Toxic Exposures", October 6, 2011
- "AB 32 Administrative Fee Regulation - Public Workshop Announced", January 16, 2009
- "Regulations Mandating Greenhouse Gas Reporting Become Effective", January 7, 2009
- "AB 32 Gains Traction - California Air Resources Board Adopts AB 32 Climate Change Scoping Plan", December 12, 2008
- "Loss of Power? AQMD rules Designed to Spur Development of Newer, Cleaner Electrical Power Plants Recently Vacated in LA Superior Court", August 18, 2008
- "EPA Releases Advance Notice Of Proposed Rulemaking Regarding Regulation Of Greenhouse Gas Emissions Under Clean Air Act", July 24, 2008
- "No Idling: California Air Resources Board Adopts New Off-Road Diesel Rule", June 11, 2008
- "Clash of the Titans", January 11, 2008
- "California Sues U.S. Environmental Protection Agency, Seeks Permission To Enforce Own Standards Regulating Greenhouse Gas Emissions", December 7, 2007
- "California Air Resources Board Issues Proposed Regulations to Require Facilities to Report Greenhouse Gas Emissions Under the Global Warming Solutions Act", November 1, 2007
- The Global Warming Solutions Act (AB 32): The Genesis of a New Environmental Paradigm for California (publication pending in Cal. Environmental Insider, will have 20,000 person distribution)
- The Unseen Black Male Lawyer (publication pending, *Los Angeles Daily Journal*)
- "California Air Resources Board Proposes Additional Early Action Measures Pursuant to the Global Warming Solutions Act (AB 32)", September 8, 2007
- "Summary of Proposed Draft Regulation to Reduce Emissions of Diesel Particulate Matter and Other Pollutants From In-Use On-Road Heavy-Duty Diesel-Fueled Engines", August 21, 2007
- "California Air Resources Board Passes New Regulations Limited Off-Road Diesel Emissions", July 31, 2007
- "Private Parties Under CERCLA May Sue Potentially Responsible Parties for Cost Recovery Even if They Are Barred From Suing For Contribution", June 18, 2007
- "CARB Proposes New Diesel Emission Regulations (13 CCR SEC. 2449)", June 15, 2007

Los Angeles Bar Association Articles

- Highlights of the Contractor's State License Law, Los Angeles Bar Association publication (co-author), Winter 2005
- 2003 Construction Industry Year in Review, Los Angeles Bar Association publication (co-author)
- New Laws Regarding Underground Storage Tanks, 2002
- 2001 Construction Industry Year in Review, Los Angeles Bar Association publication (co-author)

HISPANIC/LATINO NEWSLETTER

- Enfoque Latino - Spring 2008

SPEECHES

- Domestic-Violence Victims Deserve Uniform Asylum Rules, California Legal Secretaries Association
- All Appropriate Inquires Requirements, Los Angeles County Bar Association

EVENTS

- California Minority Counsel Program Annual Conference