



## → Olivier F. Theard

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Olivier Theard is a partner specializing in environmental law, including regulatory advice and compliance, due diligence and transactions, administrative hearings, and litigation. He is also the Office Managing Partner for the Los Angeles office.

### Areas of Practice

- Assists clients with environmental regulatory and permitting matters, including advice and compliance with State and Federal air quality, hazardous waste, and consumer products laws.
- Advises on environmental due diligence in corporate and real estate transactions. Mr. Theard has extensive experience advising buyers and sellers of contaminated land and negotiating contract terms related to a wide variety of environmental law regulatory issues. Because of his litigation experience, Mr. Theard offers clients a unique perspective when assessing transactional risks.
- Manages environmental investigations and remediation of contaminated sites.
- Provides advice on compliance with Proposition 65, both as to product and environmental warnings, and handles Prop 65 litigation.
- Handles environmental litigation and administrative disputes under the Clean Air Act, CERCLA and other federal and state environmental laws.
- Prepares administrative petitions and represents 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.
- Represents clients in complex toxic tort litigation regarding alleged injuries from benzene, chromium, asbestos, dioxins, and other chemicals.

Olivier is an active leader in the firm's diversity and recruiting efforts. He is a leader of the Los Angeles Recruiting Committee, in charge of hiring new lawyers. Olivier also is the firmwide leader of major diversity initiatives aimed at increasing minority and female retention in the practice of law.

### Honors

Recommended Attorney - Environmental, *The Legal 500*, 2020

## Experience

### Significant Matters

- Mr. Theard has represented numerous clients in regulatory and administrative proceedings before the SCAQMD, DTSC, the Regional Boards, and other agencies. Mr. Theard regularly advises these clients regarding their regulatory obligations and compliance with environmental laws. Clients include Exide Technologies, Owens Illinois, Anita's Mexican Foods, California Steel, and Anderson Hay.
- Provides environmental due diligence and transactional support to dozens of clients, from private equity firms to developers.
- 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 judgment. Mr. Theard has additional toxic tort defense experience on matters for Northrop Grumman Corporation, Consolidated Graphics, ExxonMobil, and other companies.
- Defended clients involved in international environmental disputes regarding marine diesel engines, CERCLA, the Clean Air Act, and related laws.
- Provided advice and counsel on Prop 65 and other chemical regulations, and has Prop 65 litigation experience. Provides advice on complying with new Prop 65 regulations.
- Provides advice and counsel to clients on a variety of other California and Federal environmental laws.
- Representing a client in a 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.

## Articles

- Understanding United States Products Liability and Environmental Laws, *U.S./Mexico Bar Association*
- It's Not Easy Being Green, *Daily Journal*
- Compound Solutions, Changes in Chemical Regulations, *Los Angeles Daily Journal*
- Catching the Green Wave, *Los Angeles Daily Journal*
- It's Getting Easier Being Green, *Los Angeles Daily Journal*
- The Global Warming Solutions Act (AB 32): Raising the Temperature of California Business, *California Environmental Insider*
- The Global Warming Solutions Act (AB 32): Raising the Temperature of California Business, *California Environmental Insider*
- Domestic-Violence Victims Deserve Uniform Asylum Rules

### Climate Change & Clean Technology Law Articles

- "Supreme Court Grants Limited Review of GHG Emissions Regulations"
- "What Will It Cost for California to Save the World? California Conducts its First Greenhouse Gas Cap-and-Trade Auction"

- "ARB Initiates The Development Process For A Potentially Controversial Agricultural Equipment Regulation"
- "Environmental Justice Groups Intensify Judicial and Legislative Campaign Against California's Proposed Cap-and-Trade Program"
- "California Air Resources Board Issues Proposed Regulations to Require Facilities to Report Greenhouse Gas Emissions Under the Global Warming Solutions Act"
- "EPA Issues Final Rule Regulating Emissions From Diesel Powered Stationary Reciprocating Internal Combustion Engines, Affecting Many Industrial Facilities"
- "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"

## Real Estate, Land Use & Environmental Law Blog Articles

- "FERC Holds the Line on One-Year Limit for State Review of Clean Water Act Certifications for Interstate Natural Gas Pipelines"
- "New LA Ordinances 'Clean Up, Green Up' Industry in Residential 'Toxic Hotspot' Neighborhoods"
- "California Passes Landmark Green Chemical Laws"
- "Governor Brown Signs SB 4 Regulating Hydraulic Fracturing Well Stimulation Treatments,"
- "Enforcement of California Low-Carbon Fuel Standard Blocked"
- "Governor Brown Signs Two Bills Intended to Protect Children From Toxic Exposures"
- "AB 32 Gains Traction - California Air Resources Board Adopts AB 32 Climate Change Scoping Plan"
- "Loss of Power? AQMD rules Designed to Spur Development of Newer, Cleaner Electrical Power Plants Recently Vacated in LA Superior Court"
- "EPA Releases Advance Notice Of Proposed Rulemaking Regarding Regulation Of Greenhouse Gas Emissions Under Clean Air Act"
- "No Idling: California Air Resources Board Adopts New Off-Road Diesel Rule"
- "Clash of the Titans"
- "California Sues U.S. Environmental Protection Agency, Seeks Permission To Enforce Own Standards Regulating Greenhouse Gas Emissions"
- "California Air Resources Board Issues Proposed Regulations to Require Facilities to Report Greenhouse Gas Emissions Under the Global Warming Solutions Act"
- 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)"
- "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"
- "California Air Resources Board Passes New Regulations Limited Off-Road Diesel Emissions"
- "Private Parties Under CERCLA May Sue Potentially Responsible Parties for Cost Recovery Even if They Are Barred From Suing For Contribution"

- "CARB Proposes New Diesel Emission Regulations (13 CCR SEC. 2449)"

## Los Angeles Bar Association Articles

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

## Media Mentions

Sheppard Mullin, Smith Anderson Guide NovaQuest Buy of CoreRx  
*Bloomberg Law*, 01.22.2021

## Speaking Engagements

The Media is the Message: Environmental Litigation and the Press, Los Angeles County Bar Association Symposium, 2015

Perspectives on Vapor Intrusion, Los Angeles County Bar Association Symposium, 2014

Understanding United States Products Liability and Environmental Law U.S./Mexico Bar Association 2012 Annual Conference

To Frack or not to Frack: An Introduction to Hydraulic Fracturing, LA County Bar Association 2012 Fall Symposium

Understanding the All Appropriate Inquires Requirements, Los Angeles County Bar Association

## Events

PFAS & Real Property Transactions: The Essentials of Diligence and Compliance  
Presented by Sheppard Mullin and SLR  
Webinar, 06.09.2022

Cannabis Webinar Wednesday - Environmental Concerns  
Webinar, 05.20.2020

POSTPONED: Cannabis Webinar Wednesday - Environmental Concerns  
03.18.2020

## Memberships

Firmwide Leader, Diversity and Inclusion Attorney Network  
Los Angeles Leader, Recruiting Committee

Executive Committee, Diversity and Inclusion Committee  
Firmwide Representative, US Law Firm Group Environmental Committee  
Member, American Bar Association  
Member, USC Alumni Association  
Member, Stanford Alumni Association

## Podcasts & Webinars

Cannabis Webinar Wednesday - Environmental Concerns  
05.20.2020

## Practices

Real Estate and Land Use  
Litigation  
Environmental  
Class Action Defense  
Real Estate Acquisitions and Dispositions

## Industries

Aerospace & Defense  
Cannabis  
Government Business Group

## Education

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

## Admissions

California