

TRAILBLAZERS

ENERGY & ENVIRONMENTAL

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PIONEER SPIRIT Pete Seley became an environmental litigator because he was interested in the connection between science and law. Andrea Neuman is a die-hard Perry Mason fan; she always wanted to be a trial lawyer. "I started in trusts and probate, because they often went to trial," she says. In the mid-1990s, she worked on a large toxic tort case, which led to other environmental cases with fraud elements.

TRAILS BLAZED Seley and Neuman employed a seldom-used federal statute to dramatically turn the tables in a \$9.2 billion Ecuadorian environmental litigation fraud on behalf of Chevron. There were signs that the court's expert had been co-opted by the plaintiff, but the Ecuadorian courts were blocking discovery. The pair invoked section 1782, a tool that permits U.S. federal courts to order discovery from U.S. residents for use in foreign proceedings. This led to the admission that the plaintiffs had paid the expert, wrote his entire report themselves and even ghostwrote the judgment. The Wall Street Journal called it the legal "fraud of the century." According to Seley, "we were able to use U.S. discovery laws to pick at a knot of fraud. Once it started to unravel, we could use those strands to go after others, including ultimately opposing counsel."

FUTURE EXPLORATIONS These types of cases are of high value for the plaintiffs' bar. "Energy companies will continue to be a risk," says Seley. "Companies are going to need people who are sophisticated to defend them." Neuman adds that more will take place in the international arena. "In some cases American plaintiff lawyers are even setting up shop in foreign countries to file cases like silicosis and asbestos like they did for many years in the United States."

