



George Gigounas

Partner

george.gigounas@dlapiper.com

San Francisco

T: +1 415 615 6005

F: +1 415 659 7305

San Diego (Downtown)

T: +1 415 615 6005

F: +1 415 726 0572

George Gigounas resolves environmental and product-related litigation, enforcement and compliance issues for DLA Piper clients with industrial, manufacturing and product-based businesses.

His environmental practice builds on a strong background in environmental science, a familiarity with the technical, chemical and mechanical processes involved in industrial operations, and an understanding of the geophysical and toxicity issues arising with hazardous wastes, toxic exposures and environmental remediations. George's client service draws on litigation and trial skills from a varied background, involving advocacy for industrial entities and manufacturers, oil, insurance, consumer and pharmaceutical product firms. He has defended numerous government enforcement actions and complex civil lawsuits under federal CERCLA and RCRA laws and related state laws.

His products practice spans litigation and compliance counselling on a wide range of products, from electronics to personal care products, vehicles, over-the-counter medicines and prescription pharmaceuticals. George advises on compliance with product safety laws and regulations, particularly regarding California laws, including long experience in Proposition 65 litigation. He also represents clients in product recalls and withdrawals and assessment of potential product defects and risks. He helps clients ascertain and monitor regulatory compliance, develop testing programs, implement required certifications and handle enforcement actions or litigation under federal and state laws.

EXPERIENCE

RECENT SIGNIFICANT REPRESENTATIONS

ENVIRONMENTAL LAW AND TOXIC EXPOSURES

- Represents major ship repair and maintenance company in multiple CERCLA cleanup and cost-recovery litigations related to soil, groundwater and sediment contamination at multiple industrial port facilities; interfacing with municipal parties and government regulators

RELATED SERVICES

- Litigation, Arbitration and Investigations
- International Trade, Regulatory and Government Affairs
- Environment, Health and Safety
- Product Liability, Mass Torts and Product Stewardship
- Insurance and Reinsurance Disputes
- Global Governance and Compliance
- Investigations
- Commercial Contracts Disputes
- Class Actions
- Protecting Business Assets
- Intellectual Property and Technology

RELATED SECTORS

- Energy and Natural Resources
- Insurance
- Consumer Goods, Food and Retail
- Life Sciences

- Represented global chemical manufacturer in product litigation, regulatory compliance assessment and program enhancements
- Represented major oil company in multiple CERCLA cleanup and cost-recovery litigation and RCRA cleanup actions, including regulatory interface and long-term remediation processes related to soil and groundwater contamination
- Represented numerous manufacturers in regulatory enforcement defense and compliance litigation, from a wide variety of industries, including glass and packaging, aftermarket auto parts, chemical manufacturing, insecticides, electronics, over-the-counter consumer healthcare products, clothing, food products and others
- Assisted major oil company in conducting internal investigation regarding regulatory compliance surrounding pipeline operation. Guided interactions with multiple California air quality monitoring districts
- Regularly assists construction, heavy industry and commercial development companies in conducting environmental due diligence, assessing regulatory compliance and liability risk in connection with multi-million dollar purchase transactions
- Represented global bottle manufacturer in successful product safety investigation and defense
- Represented a children's product manufacturer in a high-profile recall in both the US and Canada of millions of units of a product in a short time frame

- Industrials

BUSINESS LITIGATION

- Represented former CFO of a multi-billion dollar public company in multiple high-profile securities-related litigations, including derivative claims, class actions and SEC civil litigation
- Represented global real estate investment enterprise in multi-jurisdictional litigation over real estate portfolio values, and fraud and misconduct of prior portfolio owner
- Represented global chemical manufacturing company in litigation with former owners over performance benchmarks and earn-outs, and regulatory compliance matters
- Represented major US bank in multiple litigations regarding value and performance of pension investments and securities lending in the wake of the recent global financial crisis
- Represented publicly traded technology companies in SEC and DOJ investigations and multiple litigations arising from alleged stock option back-dating, and conducted internal corporate investigations regarding options practices at several publicly traded companies
- Represented a real estate investment limited partnership in multiple plaintiff arbitration alleging securities fraud

CREDENTIALS

Admissions

- California

Recognitions

George has been recognized by *The Legal 500 United States*.

Education

- J.D., University of California at Berkeley, Boalt Hall School of Law 2000
- B.A., University of Virginia 1997
with high honors

Courts

- United States Court of Appeals for the Ninth Circuit
- United States District Court for the Central District of California

- United States District Court for the Eastern District of California
- United States District Court for the Northern District of California
- United States District Court for the Southern District of California

Memberships

- American Bar Association
- State Bar of California
- San Francisco Bar Association

INSIGHTS

Publications

Supreme Court recognizes state court jurisdiction relating to Superfund remediation but conditions some additional landowner remedies on approval by EPA

29 April 2020

The Court decided two critical questions.

EPA and CalEPA guidance on field activities during COVID-19 focuses on agency communication, deadlines and flexibility

24 April 2020

EPA wishes individual regions to communicate directly with their regulated communities to ensure reasonable expectations for ongoing field work; meanwhile, CalEPA may fill gaps in EPA's enforcement.

US CPSC advises consumers certain recall remedies may be unavailable due to COVID-19 – four key takeaways

15 April 2020

Guidance will evolve as the pandemic develops, and CPSC-regulated firms are encouraged to consider these actions.

Amid COVID-19, US EPA loosens its enforcement policies on the regulated community

31 March 2020

EPA will exercise enforcement discretion in policing businesses and other regulated entities for noncompliance with certain environmental regulations.

COP25's key outcome: adoption of the San Jose Principles on carbon market mechanisms – takeaways for business

12 February 2020

Ambitious countries are not waiting for full consensus on carbon markets.

OEHHA's revised regulatory changes would make Prop 65 safe harbor defenses harder for many defendants: comment period closes 8/5/2019

1 August 2019

The revisions would significantly limit safe harbor provisions that protect against bounty hunters.

California regulators approve broader wetland definition and new procedures in wake of federal rollback: for developers, what to expect next

30 APR 2019

California regulators approve tighter wetland definition and new procedures in wake of federal rollback: for developers, what to expect next

PFAS: in California, regulators put cleanup levels on hold, but announce major data hunt

7 MAR 2019

This data hunt will affect thousands of facilities, drinking water systems and private drinking water well owners.

California Proposition 65 lists two chemicals, PFOA and PFOS, found in a number of consumer products

12 DEC 2018

Given Prop 65's active and litigious enforcers, companies doing business in California that suspect their products may cause an exposure to PFOA/PFOS should consider compliance options now.

California Cruelty-Free Cosmetics Act to ban most animal testing for beauty products: key points

12 SEP 2018

Given the dominance of the California market, cosmetic companies are considering how they will adjust their development processes ahead of the 2020 deadline.

You may be surprised to learn you are selling unregistered pesticides – key points for retailers to help avoid liability

26 JUL 2018

Retailers and manufacturers face significant liability for selling products they do not realize are pesticides and that would not, in fact, be pesticides if not for careless labeling.

PFOA/PFOS: California nods to New Jersey and moves closer to strict MCLs

23 JUL 2018

Indications that OEHHA may be well on the way to establishing public health goals for PFOA and PFOS.

-
- "Think You're Proposition 65 Compliant? Not for Long...", *CPGmatters*, May 1, 2017
 - "Environmental Considerations for a Prospective Port Tenant," *Area Development*, April 17, 2017
 - "Despite Progress, Big Obstacles Still Loom For Paris Deal," *Law360*, October 7, 2016
 - "WARNING: OEHHA amends California Proposition 65 requirements for 'clear and reasonable warnings,'" *Next Steps*, September 14, 2016
 - "Are Prop 65 Warning Label Changes 'Clear And Reasonable?'," *Law360*, January 2016
 - "The UNFCCC Paris agreement: impressions from the negotiating table for the energy sector – and 10 key points about what comes next," December 18, 2015
 - "Changes to California Prop. 65 warning requirements may create new pitfalls for consumer businesses – key points and timeline," December 16, 2015
 - "When Crowd Funding Outpaces Compliance Funding," *Think Globally*, May 2015
 - "California's Green Chemistry Initiative: 'Work Plan' basics and the 7 product categories – 3 action steps," October 2, 2014
 - "California court certifies unlikely class – will it redefine the class action landscape?," *Class Action Alert (US)*, April 24, 2014
 - "'Company Doe' wins challenge but loses anonymity - ruling makes it tougher for companies to confront erroneous online claims," *Product Liability Alert (US)*, April 22, 2014
 - "Guan V. Bi Limits Jurisdiction In Cross-Border Litigation," *Law360*, April 1, 2014
 - "The Puzzle and Promise of Bitcoin," *American Bar Association*, March 20, 2014
 - "Warning – California proposes major changes for Proposition 65 warnings: take part in the process," *Product Liability Alert (US)*, March 19, 2014
 - "California Green Chemistry Initiative's coming Priority Products list and the DTSC Strategic Plan: what do they mean for you?," *Product Liability Alert (US)*, February 25, 2014
 - "California's Governor Brown earmarks funds for Prop 65 regulations but the threat of unnecessary litigation remains," *Product Liability Alert (US)*, February 20, 2014

Events

Previous

Delegation of Chinese Investors and Entrepreneurs from Sichuan, China

19 December 2019
East Palo Alto

- Presentation to the Delegation of Entrepreneurs and Industrial Investors from the Sichuan Province of China on Entering the U.S. Market, Product Liability & Environmental Litigation and Global Compliance & Investigations. DLA Piper's Palo Alto office, December 19, 2019
- Panelist, "OEHHA's New Warning Regulations and Internet Platforms: Who Has the Responsibility to Warn?," 2017 Prop 65 Conference, September 25, 2017