



Patrick M. Flynn

Partner

Environmental Law



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Overview

Patrick focuses his practice on civil litigation with an emphasis on environmental matters. Known for his relentless advocacy, deep industry experience and track record of success, Patrick represents a wide range of clients from large national privately and publicly held companies, to governmental and quasi-governmental entities.

A highly versatile litigator, Patrick skillfully handles environmental matters of many kinds, including large multi-party cost recovery/contribution actions, citizens' suits, toxic tort suits, and contractual disputes over environmental liabilities. He also defends clients in enforcement actions, both administrative and judicial, under a variety of federal and state environmental statutes, including CERCLA, RCRA, the Clean Water Act and New Jersey's Spill Compensation and Control Act. Patrick has represented clients at numerous sites in New Jersey, Pennsylvania and New York, as well as in other states across the nation, including Massachusetts, Michigan, Missouri, Nebraska, Texas and California.

Through his involvement in complex environmental litigation, Patrick has extensive experience working with expert and lay witnesses, managing multi-party discovery and handling all facts of motion practice in federal and state courts. Patrick is also well-versed in the use of computer resources for research, document and information management, and courtroom presentations.

Clients also look to Patrick for representation with respect to the condemnation of property through eminent domain. He acts for condemning authorities acquiring property, as well as representation of property owners to defend against condemnation or to ensure that they receive the maximum value for their property. To the benefit of his clients, Patrick often applies his deep experience addressing issues arising from the condemnation of environmentally impaired former industrial "brownfield" property.

Patrick is also sought after for appellate representation. He has prosecuted and defended appeals for clients in a wide variety of substantive areas, including First Amendment issues, insurance coverage, commercial contracts, medical licensing, confiscation of firearms, personal jurisdiction, and state pension eligibility. Patrick has obtained reversals of lower court decisions in two cases that gave rise to published opinions establishing precedent in New Jersey.

Prior to joining Archer, Patrick served as Law Clerk to the Honorable David Landau, Superior Court of New Jersey, Appellate Division.

Representative Experience

- Represented titanium dioxide manufacturer in RCRA /Clean Water Act citizen suit action.
- Obtained trial verdict dismissing RCRA citizen suit action against soil recycling operation.
- Represented clients in defending against NRD claims brought by state government trustees.
- Successfully defended former lead smelter operator against claims of personal injury from alleged historic lead exposure.
- Obtained no liability verdict in federal court trial of multi-million dollar CERCLA contribution action arising out of cleanup of Lipari Landfill.
- Litigated numerous cutting-edge issues of New Jersey law arising out of condemnation of environmentally impacted brownfield property.
- Enforced obligations owed to clients under environmental indemnity agreements.
- Obtained dismissal of action against real estate developer brought by former co-venturer alleging breach of contract, breach of fiduciary duty, fraud, and RICO claims.
- Represented construction project owners in breach of contract actions and change order disputes.
- Obtained dismissal of bid challenge action filed against government construction project owner.

Professional and Community Involvement

- New Jersey State Bar Association
- Camden County Bar Association



Select Articles

- “The State is Not Liable for Pre-Spill Act Conduct,” *New Jersey Law Journal* (April 2017)

Credentials

Education

- Rutgers University, JD, *High Honors*
- Rutgers University, BA, *Honors*

Bar Admissions

- New Jersey
- New York
- U.S. District Court for the District of New Jersey

Offices

- Voorhees, NJ

Areas of Focus

Practice

- Appellate Practice
- Condemnation & Eminent Domain
- Environmental Law
- Environmental Litigation
- Natural Resource Damages & Assessments
- State & Local Government

