

## Nicholas A. Nardi

Of Counsel

Nicholas Nardi practices in the areas of insurance coverage and environmental law. Nick has successfully represented insurance companies in complex insurance coverage matters throughout the Pacific Northwest, including matters involving insured ports, utilities, and cities.

Nick advises clients regarding liability, property, and agricultural policies, and in relation to environmental, toxic tort, construction defect, product defect, and professional liability claims. Nick has participated in developing key appellate law affecting insurers in Oregon and Washington. He has also represented clients in state and federal environmental compliance and litigation matters.

### PRACTICE EMPHASIS AND EXPERIENCE

- Environmental Insurance Coverage
- Environmental Defense
- Insurance Coverage Analysis & Litigation

### REPRESENTATIVE CASES

- Represented insurers in coverage action concerning environmental contamination at industrial sites adjacent to the Willamette River in Portland, Oregon. Successfully appealed to the Oregon Supreme Court regarding the insurers' duty to indemnify.
- Represented insurer of the Port of Seattle in connection with substantial claims by the U.S. EPA and the Washington Department of Ecology relating to contamination at and near Port properties, Elliott Bay, and the Lower Duwamish Waterway.
- Represented insurers of major PRPs in connection with in-water contamination claims at the Portland Harbor Superfund Site by the U.S. EPA, and soil and groundwater contamination claims by the Oregon Department of Environmental Quality.
- Represented insurer of the City of Port Angeles in relation to significant sediment contamination caused by wood products industries operating near the Port of Port Angeles.



### CONTACT

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### EDUCATION

J.D., Northwestern School of Law of  
Lewis & Clark College, 1998

- Law Review

B.A., Tufts University, 1994, *cum laude*

### BAR / COURT ADMISSIONS

State of Oregon

State of Washington

District of Columbia

U. S. District Court, Oregon

U.S. District Court, Eastern District of  
Washington

U.S. District Court, Western District of  
Washington

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- Represented corporation against claims by the Oregon Department of Environmental Quality regarding the investigation and remediation of a significant release from a gasoline underground storage tank system.

## **PROFESSIONAL & CIVIC INVOLVEMENT**

- Oregon State Bar Association
- Washington State Bar Association
- District of Columbia Bar Association
- Washington Defense Trial Lawyers
- Oregon Association of Defense Counsel
- Loaves & Fishes, Meals on Wheels

## **ARTICLES & PRESENTATIONS**

- Author: "Recent Oregon Environmental Insurance Coverage Cases and Legislation," Environmental Law Education Center, 2007
- Author: "Key CD Coverage Issues: An Update on Oregon Cases and Coverage in Oregon," Washington Defense Trial Lawyers Association, 2007
- Author: "Liability Insurance Policies Do Not Provide Coverage for a Mere Threat of Groundwater Contamination," Oregon Association of Defense Counsel, 2005
- Author: "Guilt by Association: Denial of Insurance Coverage to One Family Member for Acts of Another Family Member," OREGON ASSOCIATION OF DEFENSE COUNSEL BULLETIN, 2004
- Author: "Federal Courts Must Use Current Market Rates When Setting Attorneys' Fees Award," Oregon Association of Defense Counsel, 2003