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## EXPERTISE

Environmental Law, Water Law, and Natural Resources

## EDUCATION

Stanford Law School, J.D.  
Cornell University, B.A., *Phi Beta Kappa*

## ADMITTED IN

Colorado

Elizabeth Temkin is a partner at Davis Graham & Stubbs LLP and currently serves as the at-large member of the DGS Executive Committee. She has over 30 years of experience in environmental litigation and transactional work throughout the West. Ms. Temkin's practice focuses on complex environmental litigation and site remediation and reuse. She is particularly well-known for her litigation and cleanup related work at so-called "mega sites" throughout the Western U.S., including some of the biggest and most complicated hard-rock mining Superfund sites in the country, such as Coeur d'Alene, Midnite Mine, Leadville, and others. She also has considerable experience and success on both sides of citizen suit litigation and as common counsel to PRP groups. On the transactional side, Ms. Temkin has, over the years, helped a diverse array of redevelopment projects successfully navigate complex cleanup and regulatory challenges. She has a reputation for finding creative ways to effectively manage environmental risks and liabilities in either a litigation or transactional setting.

Ms. Temkin received her B.A. from Cornell University and her J.D. from Stanford Law School. She is admitted to practice in Colorado, before the Ninth and Tenth Circuit Courts of Appeals, and before the U.S. Supreme Court. She has also been admitted pro hac vice in numerous courts across the country. Ms. Temkin has been recognized over the years by *The Best Lawyers in America*, *Colorado Super Lawyers*, *Chambers USA*, and *5280 Magazine*. *Best Lawyers* selected Ms. Temkin as its

2014 Denver Lawyer of the Year for Environmental Law. In 2019, Ms. Temkin was elected to be a fellow of the American College of Environmental Lawyers.

## REPRESENTATIVE PROJECTS

- Negotiation of the largest ability-to-pay settlement outside bankruptcy to resolve federal, state, and tribal CERCLA claims for billions of dollars in alleged cleanup costs and natural resource damages (NRD) at the Bunker Hill/Coeur d'Alene Basin Superfund site in North Idaho.
- Negotiation as PRP Group common counsel of an innovative state-led CERCLA settlement for extensive mine site cleanup work in Nevada. Several key Consent Decree terms, including the covenant and reopener provisions, diverge widely from model language. The settlement also resolved tribal NRD claims.
- Negotiation of a CERCLA consent decree on behalf of two estates and multiple beneficiaries for historic mining exploration activities on Forest Service land in Oregon.
- Successful prosecution to settlement of an insurance coverage lawsuit in federal court in Oregon on behalf of an estate and multiple beneficiaries to resolve cleanup-related defense and indemnity obligations of several insurers under a number of

CGL policies to fund a CERCLA settlement with the Forest Service.

- Negotiation and advice on the development and implementation of voluntary cleanup plans, funding agreements; and other details for a municipality as the current owner of a former manufactured gas plant site and of a historic former fluorspar processing facility. The latter property contains Native American remains and artifacts and abuts a historic pioneer cemetery.
- Counsel to a major oil and gas producer on EPA investigation and cleanup issues at a Wyoming gas field with an extensive drilling and production history. The site has been the subject of nationwide press coverage and intense regulatory scrutiny.
- Advise the current owner on CERCLA and other issues associated with the redevelopment of a 3,200-acre former paper mill site in Montana with three miles of river frontage.
- Advise the purchaser of a former National Priorities List mining site, which is on the National Register of Historic Places, on liabilities and risks associated with property acquisition and redevelopment.
- Negotiation of settlement, access, and cleanup related agreements at a closed uranium mine in New Mexico.
- Defense of CERCLA claims against a major U.S. mining company involving a former uranium mine on an Indian reservation in Washington State.