

PRACTICE AREAS

- Appellate & Constitutional
- Energy Regulation & Dispute Resolution
- Environmental
- Litigation
- Real Estate, Land Use/ Eminent Domain

EDUCATION

- B.A., Rice University, 1992, summa cum laude, Phi Beta Kappa
- J.D., University of Michigan Law School, 1995, cum laude

BAR & COURT ADMISSIONS

- North Carolina, 2011
- Florida, 2005
- Georgia, 1995

THOMAS (TOM) A. FARNEN



MEMBER

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CHARLOTTE

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Tom Farnen brings to his clients over 15 years of regulatory counseling and controversy experience in the areas of environmental health and safety law, zoning, constitutional law, and products liability. Mr. Farnen has tried nearly 35 cases to verdict before judges, juries and arbitration panels. He provides his clients cutting-edge counsel on matters pertaining to:

- Clean Air Act
- Clean Water Act
- Solid and Toxic Wastes
- OSHA

Representative clients include:

- Nucor Corporation
- Exide Technologies
- Ford Motor Company
- UBS
- The David J. Joseph Company
- The Quaker Oats Company

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THOMAS (TOM) A. FARNEN

Areas of experience include:

Environmental

- Regulation -- Negotiated air and water permits for numerous industrial and agricultural clients. Successfully guided energy and industrial clients through the "new source review" requirements of the Clean Air Act's PSD program. Completed from initial application to final approval Title V Air permit for new peaking power plant in Atlanta. Represented industrial clients in investigations and appeals of alleged permit violations. Oversaw industrial and consumer products corporations' EPCRA reporting schedules and responded to emergency spills and OSHA audits and investigations. Counseled clients' EHS supervisors on compliance and reporting obligations on air and water discharges.
- Corporate Diligence -- Conducted environmental due diligence during mergers, acquisitions, and divestitures. Supervised technical professionals in their reporting on environmentally active sites.
- Litigation -- Defense oriented litigation concerning environmental citizens' suits, constitutionality of municipal ordinances and state regulations, toxic torts sites relating to pesticides, Chinese drywall, asbestos and lead contamination

Government, Policy & Regulatory Affairs

- Conducted negotiations with federal, state, and local energy, environmental, antitrust, and defense contracting authorities, specifically, Department of Justice, EPA, Department of Defense, Department of the Interior, USDA and FDA, regarding governmental contracts and potential enforcement penalties. Reviewed and negotiated consent orders and merger approvals. Litigated against numerous municipalities regarding the constitutionality of their local zoning ordinances.

Federal Investigation/ White Collar Defense

- Defended industrial and commercial clients in federal investigations by DOJ, CPSC, EPA, and OSHA, responding to civil investigative demands and investigatory closures of industrial plants. Litigated constitutional regulatory claims against federal, state and local authorities.

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THOMAS (TOM) A. FARNEN

Products Liability & Complex Litigation Management

- Served as the in-house products liability counsel for a Fortune 500 automotive battery manufacturer, coordinating all claims and litigation with corporation's insurance carriers and creating a network of outside local counsel to cover more than 45 states. Designed and implemented a streamlined, automated process for the receipt and processing of more than 1,000 claims annually.

OF NOTE

- Instructor, Evidence Practicum, Emory University (2009-2010)
- Trust for Public Land, Pro Bono Lead Counsel (2006- 2010)
- Rice University Alumni Interviewing Coordinator (1999-2008)

PROFESSIONAL AFFILIATIONS

- Environmental Law Section and General Practice and Litigation Section, State Bar of Georgia, Member
- Environmental and Land Use Law Section and Trial Lawyers Section, The Florida Bar, Member