

# ANNUAL CONFERENCE prop.65clearinghouse

MONDAY, SEPTEMBER 19, 2022

JULIA MORGAN BALLROOM

2:45 to 3:45

## What Does it Mean to Bring an Action in “The Public Interest?”

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“The Public Interest?”

Moderator: **James Wheaton**, Senior Counsel, Environmental Law  
Foundation

Panel: **Cliff Chanler**, Shareholder, Chanler LLC  
**Vineet Dubey**, Partner, Custodio & Dubey  
**Noam Glick**, Entorno Law, LLP  
**Mark Todzo**, Partner, Lexington Law Group

### Bios

#### James Wheaton

Senior Counsel, Environmental Law Foundation

James Wheaton is former President of the Environmental Law Foundation, and former Senior Counsel at the First Amendment Project. He founded them in 1991 and ran both for 30 years in Oakland, California and remains Of Counsel at both after recently stepping back from leading them.

He teaches the Journalism Law seminars in the Graduate Schools of Journalism/Communication at UC Berkeley and Stanford University. He also runs a Free Speech Legal Clinic at the UC Berkeley Journalism school for faculty, students and freelance journalists, filmmakers and podcasters.

He was named one of ACalifornia's 100 Top Lawyers@ by the Los Angeles and San Francisco Daily Journal, and awarded an Attorney of the Year by California Lawyer three times, for his work in three different fields: Environmental Law, Constitutional Law and Water Law. He has also received awards from the Playboy Foundation, Society of Professional Journalists Northern California Chapter, and the Ecology Law Quarterly, and his professional work has been noted in Outside, Rolling Stone, the San Francisco Bay Guardian and Playboy magazines.

His political work includes writing the text of (and sometimes running or chairing campaigns for) statewide ballot measures over the last 35 years on diverse topics such as labeling foods with Genetically Modified Organisms, cannabis legalization, old growth forestry, insurance regulation, campaign finance, political ethics reform, consumer privacy, and litigation reform.

As a volunteer he is an Advisor for the International Documentary Association. He was a member of the California State Bar's Environment Section Executive Committee and for three years co-chaired its Environmental Conference at Yosemite. He was a board member

for: San Francisco Estuary Institute; River Network; Friends of the River (also Board Chair). He has served as a City of Oakland Public Ethics Commissioner, as Executive Director of California Common Cause, and as chair of the Society of Professional Journalists (NorCal) FOI Committee.

He is also an investor at The New Parkway Theater in Oakland, and Camp Navarro in Mendocino County. He is a Burner where he co-leads camp AJOB! B Coffee Tea or Me?@, and was a build co-lead for the 2015 Temple of Promise at Burning Man, and has built other monumental art structures.

He is a Stone of a group called The Soup, a deliberate community of support, fun and creativity that exists all year and culminates every Solstice in a five-day off the grid fundraising festival held at an undisclosed location.

He is a graduate of Brown University and Berkeley Law School. He is a white water rafter, kayaker and canoeist, trained whitewater guides, has a sailboat on San Francisco Bay, is an avid woodworker, builder and maker, and after retiring from 7 years as a coach in Oakland Little League baseball, he remained as an umpire who calls 'em as he sees 'em.

## **Cliff Chanler**

Shareholder, Chanler LLC

Clifford Chanler has been practicing law for over 35 years, after running a bond arbitrage desk in New York. He left the firm of Wilson, Sonsini to open his own practice in 1991 when he represented Sierra Club, NRDC and EDF. Since then, he has been counsel to whistleblowers in state and federal courts, most of them as citizen enforcers of Proposition 65. As a private attorney general, he has handled consumer product matters involving a wide array of industries. Over the past two years, Cliff has focused his enforcement efforts on large ecommerce companies and their suppliers of lead-based consumer products. Recent settling entities include Alibaba, JD.com, Etsy and several dozens of their suppliers with a majority based in the Far East. His clients have upcoming trials against Walmart (Oct. 2022) and two involving Amazon (Mar. 2023). Cliff lives full-time in his home in New Canaan.

## **Vineet Dubey**

Partner, Custodio & Dubey

Vineet Dubey is a co-founding partner of Custodio & Dubey LLP. Vineet has dedicated his career to cleaning up the environment to ensure the safety of our planet for future generations. Vineet is a fierce advocate who consistently takes on the largest corporations and their corporate defense counsel. Vineet is an environmental litigator who sues companies that are endangering the health and well-being of California citizens by selling products containing toxic chemicals. Because of Vineet's advocacy, thousands of products tainted with Lead, Cadmium, Phthalates, and other cancer-causing chemicals, have been taken off the shelves and cleaned up.

Vineet has been recognized by the Daily Journal as the leading Proposition 65 Plaintiff's attorney in California. According to the California Attorney General's Office, he has settled more Proposition 65 matters than any other attorney in the country each of the last 3 years, forcing violators to pay millions of dollars in civil penalties and fees. Vineet has consistently been in the news regarding his cases as well as to comment upon other environmental matters. Recently Vineet authored the following piece in [Bloomberg Law](#) regarding the 35th Anniversary of Proposition 65.

Vineet's parents immigrated to the United States from India in the 1970s, before settling down in Clinton, Mississippi, where Vineet was raised and went to high school. After graduating from high school Vineet moved to Houston, Texas to attend Rice University in 1998. After graduating from Rice, Vineet continued moving west to Los Angeles to attend the UCLA School of Law, where he met Miguel during their first year of law school. Throughout his life, living in different parts of the country, Vineet has met and created a close network of friends, of all different races, ethnicities, and backgrounds, who have helped shaped the way he views the world.

Vineet is married to his wife, Ritu, and they have 2 young boys, Vaughn and Reeve. When Vineet is not at work, he is spending as much time as possible with his family, and they give him all the motivation he needs to continue fighting and litigating for a cleaner, safer environment.

**Education**

- Bachelor of Arts, Political Science, Rice University, 2002.
- Juris Doctor, University of California, Los Angeles, 2005.
- Admitted to the State Bar of California and the U.S. District Court, Central District, California.

**Practice Areas**

- Proposition 65 Environmental Litigation

**Noam Glick****Entorno Law, LLP**

Noam attended undergraduate University of California Santa Cruz, where he received a degree in environmental studies and economics. He obtained his Masters in Public Policy from the University of Michigan, specializing in environmental policy. Thereafter, he worked for four years as an environmental policy analyst at ICF Consulting in Washington D.C.

Noam attended Loyola Law School in Los Angeles, graduating in 2007. Mr. Glick specializes in environmental and employment law. Noam has worked on Proposition 65 issues for the past 8 years. Several years ago, Noam and his partner Craig Nicholas founded Entorno Law, which represents private enforcers in litigating Prop 65 and its implementing regulations.

**Mark Todzo****Partner, Lexington Law Group**

Since 1993, Mark N. Todzo has devoted his practice of law to the representation of plain-tiffs in consumer and environmental protection litigation. In that time, he has represented aggrieved individuals, nonprofit organizations and public entities in litigation that has curbed abusive and illegal corporate practices. Mr. Todzo's varied work has, among other things, helped to re-move toxic chemicals from the environment, increased staffing in nursing homes, reformed deceptive advertising practices and recovered millions of dollars for the benefit of consumers. Mr. Todzo has argued cases in state and federal trial courts as well as courts of appeal and the California Supreme Court.

Mr. Todzo has focused much of his legal practice on eliminating and reducing toxic chemicals in consumer products as well as the emission of toxic chemicals and individuals' exposure to such chemicals. He has been a tireless advocate in cases seeking to remove lead from a host of children's products and the environment.

Mr. Todzo has served as class counsel in numerous class action lawsuits as well as liaison counsel in complex coordinated actions. He was lead counsel in a case that resulted in the removal of over 500,000 pounds of lead per year from California roadways and has represented classes of individuals in a variety of different cases including a class of purchasers of fake organic products sold by Hain Celestial and a class of Comcast subscribers who were blocked from using peer-to-peer file sharing programs in breach of their contracts.

Mr. Todzo is presently currently working on Proposition 65 cases seeking to clean up the area surrounding a secondary lead smelter in southern California and reduce or eliminate the use of BPA in polyester socks. He was successful in obtaining a reduction in emissions of hexavalent chromium in Paramount, California and styrene from factories throughout southern California. He also played a leadership role in the litigation against Southern California Gas Company relating to the 2015 methane gas blowout in Aliso Canyon, obtaining one of the few seven figure Proposition 65 settlements.

Mr. Todzo joined the Lexington Law Group, LLP in 1998 and is a principal of the firm. Mr. Todzo received his law degree from Hastings College of the Law in 1993 and received an A.B. from Duke University in 1986. In addition to the practice of law, Mark enjoys rock and mountain climbing, running, and biking.