



## Max Swetman

*Partner*

*New Orleans*

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### PRACTICE AREAS

Asbestos Litigation  
Business Litigation  
Class Action Litigation  
Construction  
Delaware Corporate Litigation  
Environmental Litigation  
General Liability  
Per- and Polyfluoroalkyl Substances (PFAS)  
Premises Liability  
Products Liability  
Toxic Tort Liability  
Transactional

### EDUCATION

Louisiana State University, JD, 1992  
Johns Hopkins University, MS,  
Environmental Science and Policy  
Tulane University, School of Public Health  
and Tropical Medicine, MPH,  
Epidemiology

### BAR ADMISSIONS

Louisiana  
Mississippi  
Texas  
Louisiana Supreme Court  
Mississippi Supreme Court  
US District Court, Southern District of  
Mississippi  
US District Court, Northern District of  
Mississippi  
US District Court, Middle District of  
Louisiana  
US District Court, Eastern District of  
Louisiana  
US Court of Appeals for the Fifth Circuit

### Overview

Max Swetman's practice includes litigation and regulatory compliance counseling concerning a wide range of environmental laws. His litigation practice focuses on the defense of environmental, toxic tort, construction litigation, infectious disease counseling and litigation, COVID-19, and occupational disease claims alleging bodily injury and property damage. These include individual claims as well as mass torts. His experience in these areas covers a wide array of industries and products including oil and gas, chemicals, food production/food poisoning, building and waste materials, and industrial manufacturing.

Max's technical background allows him to bring together legal, scientific, and medical teams to ensure the best possible defense of these claims. Max has extensive experience in the defense of cases involving wastes generated from oil and gas exploration, underground storage tanks, polychlorinated biphenyls, dioxins, polychlorinated dibenzofurans, pesticides, benzene, PFOA, PFAS, PFOS and other PFCs, other POPs, chemical mixtures, asbestos, silica, mold, talc, hearing loss, indoor air quality issues, due diligence audits, OSHA and other regulatory compliance. These claims have included the defense of property damage, groundwater and soil vapor contamination, personal injury, "fear of disease" and medical monitoring claims. He has represented clients in regional and national capacities and has investigated corporate client histories extending over a century into the past.

Max represents a number of oil and gas companies in a wide range of legacy oil field site cases, including claims associated with soil and groundwater contamination, e.g., non-hazardous oilfield wastes (NOW), naturally occurring radioactive material (NORM), etc. These cases involve inland locations and marsh and wetland environments brought on behalf of individual landowners and of state and local governments. He has also represented major energy production companies in wetland loss issues in Louisiana's coastal parishes, as well as national energy companies in complex litigation involving mineral exploration and production claims involving hundreds of multi-million dollar corporations.

Max also counsels clients on issues of liabilities associated with environmental contamination and, looking forward, potential future

liabilities that may arise from industrial, manufacturing, and other processes. This includes the development of programs for compliance with local, state and federal/national environmental regulations and the formulation of plans to meet future regulatory requirements in the United States, Canada, Latin America, and the European Union. His specialized training and experience allows him to provide a unique and immediate perspective to urgent environmental-legal problems which usually require extensive initial outside expert consultation. His background allows him to not only defend cases from the initial stages through trial, but also to consult with the manufacturing and industrial sectors as a pre-litigation advisor. Specific to PFAS consultation and litigation, Max has traveled throughout the United States, Canada, Mexico, France, Germany and the Slovak Republic.

On a national level, Max is often retained to reexamine defense strategies and develop new defenses based on environmental, epidemiological, and toxicological analyses for clients which have been in environmental and toxic tort litigation for decades. He maintains close professional associations with risk assessors, environmental engineers, analytical chemists, epidemiologists, certified industrial hygienists, and other consultants. Max has represented defendants as lead trial counsel in lawsuits filed in numerous states, including Alabama, Arkansas, California, Connecticut, Delaware, Georgia, Illinois, Kentucky, Louisiana, Michigan, Mississippi, Missouri, New York, Oregon, Pennsylvania, Rhode Island, Tennessee, Utah, Washington, West Virginia, and Wyoming.

Max earned his J.D. in 1992 from the Paul M. Hebert Law Center at Louisiana State University. He holds a Master of Science in environmental sciences and policy from Johns Hopkins University, where he concentrated his research and study in environmental fate and transport, oceanic and atmospheric processes, hydrology and the ecological effects of pollutants. He also has a Master of Public Health in the field of epidemiology from the Tulane School of Public Health and Tropical Medicine, where he concentrated in occupational and environmental epidemiology.

Max has been named a Super Lawyer (2012-present), a Best Lawyer in America (2011-present), including "Lawyer of the Year" (2014), and one of the "Top 50 Legal Professionals" in New Orleans by *New Orleans CityBusiness* Magazine for 2011, 2012, and 2018, making him a member of the *New Orleans CityBusiness* Hall of Fame.

### Experience

- + Successfully defended a leading international streaming service in a class action matter brought under the Consumer Choice in Television Act in state trial and appellate court. The initial case was dismissed outright, and the appellate court affirmed the dismissal with prejudice. This result is expected to impact similar litigation in other jurisdictions.

## Max Swetman

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### Recognition

- + *Best Lawyers In America*, Product Liability Litigation—Defendants, Mass Tort Litigation/Class Actions—Defendants, 2021–2024
- + *Biz New Orleans* Magazine, "Executives of the Year" in Law, 2022
- + *National Law Journal*, [Energy/Environmental Law Trailblazer](#), 2021
- + *New Orleans CityBusiness* "Leadership in Law" Hall of Fame, 2018
- + *Best Lawyers in America*, Lawyer of the Year, 2014
- + Thomson Reuters, *Super Lawyers*, 2012–2024

### Involvement

- + Federal Bar Association, Landmark Member
- + The John Snow Society
- + Defense Research Institute
- + Louisiana Association of Defense Counsel
- + New Orleans Association of Defense Counsel
- + International Society for Environmental Epidemiology (Air Quality Section, Water Quality Section, Hazardous Wastes Section)
- + American Public Health Association (Epidemiology Section)
- + American Statistical Association (Statistics in Epidemiology Section, Statistics and the Environment Section, Risk Analysis Section)
- + American Chemical Society
- + Plastics Industry Association

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