

Simpson Thacher Partners with MPA and NRDC to File Consent Decree Outlining Plan for Cleanup of Mercury Contamination in the Penobscot River

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Simpson Thacher has partnered with the Maine People's Alliance (MPA) and Natural Resources Defense Council (NRDC) in connection with a decades-long litigation over mercury contamination in the Penobscot River estuary. On March 19, 2021, MPA, NRDC and Mallinckrodt US LLC filed a proposed consent decree in the U.S. District Court for the District of Maine outlining a remediation plan that would resolve the litigation and accelerate the recovery of Maine's largest river. Under the proposed settlement, Mallinckrodt will deposit a minimum of \$187 million (and a maximum of \$267 million depending on specific contingencies) into two trusts to fund remediation activities in the river. An independent trustee selected by the parties will manage the funds and direct the remediation work. This favorable settlement, which is subject to court approval, would conclude more than two decades of litigation and begin cooperative remediation efforts to improve the health of the Penobscot River ecosystem.

The Simpson Thacher team includes Susannah Geltman, Mike Garvey, Sarah Phillips, Joshua Hazan, Brandon Kenney, Jonathan Kaplan, Stephanie Hon and Jacob Lundqvist.

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