



Amorie Hummel

Member

Philadelphia

ahummel@cozen.com | (215) 665-4643

Practice Areas

- Environmental Regulatory & Due Diligence
- Environmental Litigation & Enforcement
- Construction Law
- Infrastructure

Industry Sectors

- Climate Change
- Renewable Energy

Education

- Temple University—James E. Beasley School of Law, J.D., *cum laude*, 2016
- Cedar Crest College, B.A., *summa cum laude*, 2008

Bar Admissions

- California
- New Jersey
- Pennsylvania

Court Admissions

- U.S. District Court -- Eastern District of Pennsylvania
- U.S. District Court -- New Jersey
- U.S. District Court -- Central District of California
- U.S. Supreme Court

Awards & Honors

- Selected to the Philadelphia Business Journal 2021 Women of Distinction Rising Stars list
** This award is conferred by the Philadelphia Business Journal. A description of the selection methodology can be found here. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*

Clerkships

Honorable Malachy E. Mannion, U.S. District Court -- Middle District of Pennsylvania

Amorie's practice focuses on the representation of clients in environmental and energy matters. She represents public and private clients in environmental litigation, environmental regulatory counseling, and environmental transactional work. Her work on behalf of clients has involved assisting with regulatory matters before the New Jersey Board of Public Utilities, New Jersey Department of Environmental Protection, and Pennsylvania Department of Environmental Protection, in addition to appellate litigation matters before the New Jersey Superior Court Appellate Division and the Superior Court of Pennsylvania on behalf of utilities and developers.

Amorie applies experience gained while holding various positions at PPL Electric Utilities, an investor-owned utility serving several regions throughout Eastern Pennsylvania, to help clients navigate environmental and utility issues. While at PPL, Amorie served as a business analyst within its project management department and was a key team member responsible for overseeing supplier contracts for transmission, distribution, and metering projects. After two years, she transitioned into the Office of General Counsel for PPL Corporation, the utility's parent holding company, where she served as a law clerk. She performed legal research on a wide range of transactional and litigation matters affecting the power generation and utilities industry, including corporate issues, construction disputes, real estate siting issues, and transactions involving the Federal Energy Regulatory Commission.

Amorie is an active member of Cozen O'Connor's Women's Initiative, the Young Professionals Council of the Chamber of Commerce for Greater Philadelphia, the Young Lawyer Subcommittee for the Pennsylvania Bar Association's Environmental and Energy Law Section, and the Energy Association of Pennsylvania. She is an author on environmental and energy-related topics and has been published in *Pratt's Energy Law Report*.

Amorie received her J.D., *cum laude*, from Temple University Beasley School of Law and Bachelor of Arts, *summa cum laude*, in English literature from Cedar Crest College.

During law school, Amorie served as a research assistant for Professors Samuel Hodge and Kevin Fandl at Temple University Fox School of Business and Professors Amy Sinden and Marcia Mulkey, environmental law faculty at Temple Law.

Amorie took part in the yearlong Federal Judicial Clinical Honors Program with the Honorable Petrese B. Tucker of the U.S. District Court, Eastern District of Pennsylvania her final year of law school. Following graduation, Amorie served as a judicial law clerk to the Honorable Malachy E. Mannion of the U.S. District Court, Middle District of Pennsylvania.

Experience

Served as counsel of record for various amici curiae trade organizations before the Supreme Court of the United States in favor of granting certiorari on issues relating to the scope of jurisdiction under the Clean Water Act. *Port of Tacoma v. Puget Soundkeeper Alliance*, No. 24-350.

Assisted Ocean Wind, a subsidiary of the Danish company Ørsted, in the preparation and prosecution of its application to the New Jersey Board of Public Utilities for the rights to build up to 1,100 megawatts of offshore wind power off the coast of New Jersey, resulting in an award of all 1,100 megawatts of

Amorie Hummel

ahummel@cozen.com

P: (215) 665-4643 | F: (215) 665-2013

©2024 Cozen O'Connor. All rights reserved.



capacity. This was the first offshore project of that scale to be awarded to any one offshore wind bidder in the United States (Ocean Wind I).

Assisted Cozen O'Connor's environmental team in securing from the Pennsylvania Department of Environmental Protection the first-ever Nonattainment New Source Review construction permit for a soybean vegetable oil manufacturing facility in the United States on appeal to the Commonwealth of Pennsylvania Environmental Hearing Board. The case was the first of its kind in the United States and centered on claims that the facility's air pollution controls were insufficiently stringent under Pennsylvania's Air Pollution Control Act and the federal Clean Air Act, Lowest Achievable Emission Rate requirements. The favorable decision sets the standard for air pollution control for vegetable oil manufacturing in the United States.

Assisted in securing a significant victory in the Commonwealth Court of Pennsylvania on behalf of Allan Myers, LP, a non-union construction company that filed a bid protest with the Pennsylvania Department of Transportation (PennDOT) challenging a provision in a project solicitation requiring that all contractors execute a Project Labor Agreement (PLA) with local unions, hire labor through local unions, and be bound by the unions' collective bargaining agreements. PennDOT dismissed the bid protest, and we successfully appealed that decision, with the Commonwealth Court unanimously holding that the PLA violated Pennsylvania's competitive bidding laws and setting a new standard for the use of PLAs. This is the first case in which a Pennsylvania court has not upheld a PLA.

Successfully defended a major agribusiness company, in a two-day arbitration, against a claim that it failed to pay approximately \$600,000 (plus \$200,000 in interest) of an annual steam fee to the steam provider for its soybean processing plant, and won a counterclaim against the provider for recovery of approximately \$200,000 in erroneous payments.

Won a motion for reconsideration that resulted in the client's dismissal from a Superfund case which originally named more than 1,000 defendants. The client was the first to be dismissed from the case with prejudice without settling. After initially securing dismissal of a joint and several liability claim under CERCLA Section 107, the court agreed to reconsider a portion of the decision allowing a Section 113 claim to proceed, acknowledged factual error, vacated a portion of the prior opinion, and dismissed the client from the action with prejudice.

On behalf of a major national company with a wide range of institutional customers and management responsibilities, prepared a comprehensive, fact-based analysis of disinfection products and methods appropriate for responses to the virus responsible for the Covid-19 pandemic. The analysis is based on reviewing the available guidance from a range of governmental and other sources. This thorough evaluation of the hundreds of products approved by EPA for use against this virus addresses the active ingredients, application processes, selection of products for specific settings (e.g., schools, food establishments) and is relied on throughout the company's operations.

In a defamation lawsuit pending for nearly a dozen years, we secured a seven-figure jury verdict awarding punitive damages to our client, climate scientist Professor Michael Mann, Presidential Distinguished Professor in the Department of Earth and Environmental Science at the University of Pennsylvania. The verdict was reached after a four-week trial in the District of Columbia against an adjunct scholar with the Competitive Enterprise Institute (CEI) and a writer for the National Review. Professor Mann was a lead author of groundbreaking research in the late-1990s, which demonstrated a sharp increase in northern hemisphere temperatures linked to increasing greenhouse gas emissions. The research, which came to be known as the "Hockey Stick" graph, subsequently was replicated and extended by other research teams and now is considered settled science. Professor Mann filed his defamation suit in 2012 after the defendants published blog posts asserting that he had falsified his Hockey Stick research and calling him "the Jerry Sandusky of climate science" who "molested and

tortured data.” The verdict is noteworthy because it involved a case of climate science disinformation and demonstrated that the “actual malice” test established by *New York Times v. Sullivan* to safeguard First Amendment rights is not unattainable when there is clear and convincing evidence of conscious avoidance of objective facts suggesting falsity.

Secured a favorable American Arbitration Association award on behalf of a nationally recognized environmental remediation firm concerning responsibility for a leaking wastewater pipe beneath a TSCA-regulated cap. Following a four-week arbitration hearing, involving four expert witnesses and multiple fact witnesses, our client prevailed and was awarded attorneys’ fees and costs in excess of \$1.5 million.