FLASTER GREENBERG
Attorneys at Law | A Professional Corporation

Marty M. Judge

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Marty M. Judge is a member of Flaster Greenberg's Environmental and Real Estate Law Departments. He focuses on all facets of environmental litigation, in addition to environmental compliance and counseling work. Mr. Judge has widespread experience in environmental matters concerning CERCLA (Superfund), RCRA and New Jersey Spill Act actions; Natural Resource Damage (NRD) claims; ISRA applicability and compliance matters; underground storage tank issues; and indemnity and contribution actions among jointly responsible parties. His experience also includes water discharge and water allocation/resource law, brownfields and redevelopment, the environmental permitting components of land use, waste-water planning and federal/state wetlands jurisdiction matters, solid waste permitting and compliance, air pollution permitting and compliance, pesticide compliance and enforcement, administrative agency litigation and appellate jurisprudence, environmental insurance coverage claims and toxic tort litigation (including class action defense).

Mr. Judge joined Flaster Greenberg after serving as a partner with a large national firm and having previously served as chief environmental litigator at another substantial law firm. He also served as a Deputy Attorney General for the State of New Jersey representing the New Jersey Department of Environmental Protection in all facets of its work. He is the former law clerk to the Honorable Milton B. Conford (deceased), former Presiding Judge of the Appellate Division of the New Jersey Superior Court and a temporary member of the New Jersey Supreme Court.

Mr. Judge has, in the past, lectured at the request of the New Jersey Administrative Office of the Courts to New Jersey's Chancery Division Judges on environmental litigation issues. He has also been a participating lecturer at numerous environmental law seminars, has served as a moot court judge for the Rutgers Environmental Law Clinic, and has been a guest lecturer on environmental issues at Rutgers Law School. In addition to authoring and editing various other publications, he is a co-author of "History of Environmental Problems," the introductory chapter of *The Environmental Dispute Handbook* published by John Wiley & Sons in 1991.

Practice Areas

Environmental Law

Real Estate and Land Use Law

Litigation

Cannabis Law

Industry Groups

Alternative and Renewable Energy

Construction

Higher Education

Retail/Shopping Center

Waste Removal

Admissions

New Jersey

Pennsylvania

U.S. Court of Appeals for the Third Circuit

U.S. Supreme Court

Education

- Rutgers University School of Law–Camden, J.D., with honors
  - Articles Editor, *Rutgers–Camden Law Journal*
- Rutgers University, B.A., with honors and high distinction

Mr. Judge is a member of Phi Beta Kappa and has studied at both La Sorbonne in Paris and L'Universite Francois Rabelais in Tours, France.

REPRESENTATIVE MATTERS

- Served as lead or liaison counsel in several multi-million-dollar cost recovery/cleanup actions involving sites on the National Priorities List
- Firsthand experience in managing complex, multiparty, multi-action litigation and has been called upon to address many issues of constitutional, statutory construction and jurisdictional dimension, in addition to basic environmental disputes
- On behalf of a large developer, successfully defended an appellate challenge to the New Jersey Supreme Court brought by various environmental groups seeking to invalidate CAFRA, freshwater wetlands and stream encroachment permits issued by the NJDEP for a several hundred unit mixed-use development
- Obtained favorable settlements and successfully litigated various cases to conclusion for both Fortune 500 and middle-market companies in matters involving cost recovery, CERCLA/Spill Act and penalty enforcement issues
- Brought and maintained appellate challenges to NJDEP regulations
- Successfully defended to the United States Supreme Court an action alleging a "taking" and for other damages brought by a downstream-water user seeking in excess of $1 billion for lost water diversion on behalf of a purveyor permitted to withdraw water from a large New Jersey river for drinking water purposes
- Obtained dismissal on behalf of a real estate developer of an action brought by a competitor challenging the client's receipt of a sewage treatment works approval to allow construction of a several hundred unit multifamily housing development, including low-income housing units
- Successfully negotiated a collective five figure settlement in one of the first lawsuits brought by the NJDEP seeking to recover Natural Resource Damages (NRD) for groundwater contamination on two sites where the NJDEP had originally claimed the client's liability was in the mid six-figure range for each of the sites separately

HONORS & AWARDS

- Rated AV® Preeminent™ by Martindale-Hubbell
- Selected to *Best Lawyers in America*® in the areas of Environmental Law & Environmental Litigation, 2015 - 2024
- Named "Lawyer of the Year" by *Best Lawyers in America*® for:
  - Environmental Law, Cherry Hill - 2022, 2024

Clerkships

The Honorable Milton B. Conford (deceased), Appellate Division of the New Jersey Superior Court

  - Litigation - Environmental, Cherry Hill - 2019, 2023
- Named a New Jersey "Super Lawyer," 2006 – 2021, 2023 by Thomson Reuters, publishers of *New Jersey Super Lawyers* magazine
- Selected as a 'Leader in the Field' of Environmental Law, New Jersey, *Chambers & Partners USA*, 2012 – 2023; Band 1 Rankings, 2017 – 2023
  - 2023: Referred to as "*a very good attorney. He knows his craft.*"
  - 2022: Marty was characterized as an attorney who "is the very best. He provides thoughtful analysis with an emphasis on achieving the strategic goals for his client."
  - 2021: According to one source, Marty was characterized as an attorney who "*is able to quickly digest very complicated issues and provide strong written report*s." Another source commented "*Marty is absolutely brilliant; he's detailed, has a broad knowledge base and he's one step ahead of everything that is going on*." Other sources described Marty as someone who has "*an extremely in-depth knowledge of environmental law*" and "*knows more about the specifics of any environmental issue than anyone else in New Jersey; he is clearly one of the most intelligent attorneys in the field*."
  - 2020: According to one source, Marty was characterized as "*an extraordinary environmental regulatory lawyer.*"
  - 2019: Marty provides clients with valuable environment-related compliance advice, drawing on what one source describes as his "*very broad knowledge of regulatory structures*."
  - 2018: Clients/peers referred to him as "*thoughtful*" and a "*highly respected litigator*" who "*provides excellent depth of analysis and is very responsive*." He is noted for his strength in Superfund, brownfield and RCRA disputes. One source reported that "*he steered us with great care and sensitivity to the situation we were in*."
  - 2017: Clients/peers referred to Marty as "very creative" and "he combines substantial lawyering skills with a lot of substantive knowledge of the environmental area."
  - 2016: Clients/peers referred to Marty as "bright and articulate" and he is lauded for his "Excellent" environmental litigation and regulatory work and someone who "has a good reputation and knows his stuff."
  - 2015: "Very smart - A brilliant litigator"
  - 2014: "A top-notch environmental litigator" and a "superb attorney."
  - 2013: "A tenacious advocate" and someone who "has incredible attention to detail, and knows the issues inside and out - you will never catch him sleeping."
- Named an Awesome Attorney, Environmental Law, *South Jersey Magazine*, 2016
- Top Attorney List, *SJ Magazine*, 2013 – 2017
- Listed as a 'Top Rated Lawyer in Land Use and Zoning' noted in *Corporate Counsel* magazine and *The American Lawyer* magazine, 2013
- Awesome Attorney List, *South Jersey Magazine*, 2013

A description of the standard or methodology on which the accolades are based can be found here. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

PROFESSIONAL AFFILIATIONS

- American Bar Association
  - Member, Section of Environment, Energy, and Resources; Section of Litigation; Section of Administrative Law and Regulatory Practice; and Section of Dispute Resolution
- Mercer County Bar Association
  - Past Member
- New Jersey State Bar Association
  - Member, Board of Directors, Environmental Law Section
  - Member, Cannabis Law Committee & Environmental Law Subcommittee
  - Member, Civil Trial Bar Section; Product Liability and Toxic Tort Section; and Entertainment, Arts and Sports Law Section
  - Member, Cannabis Industry Committee of the Business Law Section
- New Jersey Supreme Court
  - Past Member, Standing Civil Practice Committee
- Justice Stewart G. Pollock Environmental American Inn of Court
  - Master, Executive Committee member, and former Counselor to the Inn
- New Jersey Builders Association
  - Member, Environmental Affairs, Redevelopment and Legal Action Committees
- NJ Licensed Site Remediation Professionals Association
  - Associate Member
- New Jersey Association of Professional Mediators
  - Member

COMMUNITY ACTIVITIES

Long active in Scouting, Mr. Judge has been an Assistant Scoutmaster of and currently serves as the Committee Chair for Troop 1, Abington, PA, Boy Scouts of America, which celebrated its 100th consecutive year in existence in 2017. In the past, Mr. Judge has also been heavily involved in the Order of the Arrow, of which he is a Vigil Honor member.

Mr. Judge is an avid tennis player. Aside from having played United States Tennis Association league tennis for a number of years, Mr. Judge has been invited to play on several invitational teams for intersectional and interdistrict competitions, has played numerous USTA sanctioned tournaments at both the sectional and national levels, and has earned sectional and national rankings in various age groups in both singles and doubles.

ARTICLES & ALERTS

PFAS – State Law Passed in New Jersey
Legal Alert (March 22, 2024)

Recent New PFAS Information of Relevance to Airports and Other Property Owners
Legal Alert (October 14, 2022)

Social Issues Driving Support for Legalized Marijuana, 'Making It a Winner' for Nov. 3
New Jersey Law Journal (October 29, 2020)

Litigation Newsletter - June 2020
Newsletter (June 30, 2020)

PFAS Update: Perfluoroalkyls or Polyfluoroalkyls of Concern ("PFAC") and the Issue of Designating them as "Hazardous Substances" Under CERCLA
Legal Alert (November 22, 2019)

Environmental Justice in Cannabis Business Siting: Another New Issue in New Jersey?
NJ Cannabis insider (April 25, 2019)

The Impact of 'Accutane' on Environmental Cost Recovery and NRD Litigation
New Jersey Law Journal (September 10, 2018)

Environmental Predictions Under Governor Murphy
New Jersey Law Journal (January 1, 2018)

What Trump's War On Regulations Means For Lawyers
Law360 (November 7, 2017)

EPA Taking Lead to Combat Climate Change
The Legal Eagle - NJSBA Publication (Winter 2015)

New Jersey Supreme Court Rules that Statute of Limitations Does Not Apply to Spill Act Suits
Legal Alert (February 4, 2015)

Due Diligence Is More Difficult Under N.J. Site Remediation and Reform Act
New Jersey Law Journal (May 13, 2013)

Enforcement Enhancement Act
Legal Alert (March 31, 2008)