



Declaration of Candidacy

Candidates for election as Second Vice President or Director Elected Nationally must complete this form and submit it to the Executive Director at the principal headquarters of DRI by 5:00 PM (CDT) on July 1st of the year in which the election is held.

National Director Requirements - Directors Elected Nationally or by Region must be Individual Members of the Corporation admitted to the practice of law. Each such director must meet the following qualifications at the time of election: (a) The candidate shall have been a DRI member for a total of at least five (5) years, and (b) The candidate shall have been a member of at least one DRI substantive law committee for at least three (3) years, and (c) The candidate must have registered for and attended at least one (1) DRI Annual Meeting within the previous three (3) years, and, within the three (3) years prior to the final day of the Annual Meeting, the candidate must have 1) registered for and attended at least two (2) DRI seminars, or 2) registered for and attended one (1) DRI seminar and one (1) DRI Regional Meeting.

Position sought

☐ Second Vice President* ☐ Secretary- Treasurer ☒ National Director

*If you have declared your candidacy for Second Vice President and are not the successful candidate, will you consider the Secretary - Treasurer Officer position?

☐ Yes ☐ No

Name John S. Guttman

Firm/Company Beveridge & Diamond, P.C.

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Born (location) Paterson, New Jersey

Education University of PA (B.A. cum laude, 1975); Cornell University (J.D., 1978)
(Note Editor – Cornell Law Review)

Awards and achievements:

Fellow of the Litigation Counsel of America

Fellow of the American Bar Foundation

2015 – 2018 editions of The Best Lawyers in America

2015 – 2018 editions of Super Lawyers – Both Washington, DC and New York

2017 – 2018 editions of Who's Who Legal: Environment

1995 American Lawyer: *Forty-Five Under 45 – Young Lawyers Who are Making Their
Mark Today and Will Lead the Profession Tomorrow*

Areas of practice: Environmental and Toxic Tort Litigation

Years as a defense attorney: 38 years

Employment history:

Beveridge & Diamond, P.C.

9/15/80 – Present

Principal

4/1/85 – Present

Managing Principal

1/1/90 - 1/1/96

Chair, Strategic Planning Committee

1/12 – 1/14

Associate

9/15/80 - 4/1/85

Judicial Law Clerk to The Honorable Aubrey E. Robinson, Jr. of the U.S. District
Court for the District of Columbia

8/78 - 8/80

Noteworthy defense work

For well over a decade, I have served as lead national counsel for a petroleum refiner in all product liability litigation related to the gasoline additive MTBE. The cases include a multi-district litigation of well over 100 cases venued in the Southern District of New York, and other cases in multiple states. In recent years, I led a team that successfully defended one of the largest public water utilities in a docket of cases involving allegations of child lead exposure and permanent neurological damage through drinking water. Our team defeated class certification of a proposed class of thousands of children. We then challenged the plaintiffs' causation expert via a Frye hearing, which led to settlement of all cases pre-trial. I also recently represented a major defense contractor in consolidated national resource damages and cost recovery cases under CERCLA and common law in U.S. District Court in the Virgin Islands, which our team resolved through a favorable settlement on the eve of trial. I am currently leading a team that is defending a petroleum refiner in a federal case in which an environmental group is alleging that one of our client's facilities is not prepared to withstand the effects of climate change.

Professional affiliations:

American Bar Association (1980-Present) – Section of Litigation and Section of Environment, Energy and Resources
New York State Bar Association (1984-Present)
DC Bar (1978-Present)
Chair, Environmental Committee of the CPR Institute for Conflict Prevention & Resolution (2015 – 2017)

DRI member since: February 1, 2010

Please describe your previous involvement in DRI, including but not limited to, leadership positions held. Projects contributed to, Committee memberships, presentations given, and written materials authored. Special accomplishments should also be noted.

Currently Chair of DRI's Toxic Tort & Environmental Law Committee
Previously Vice-Chair of the Toxic Tort & Environmental Law Committee
Previously Member of the Toxic Tort & Environmental Law Committee's Program Committee
Member – DRI's Product Liability Committee
Member – DRI's Trial Tactics Committee

Member – DRI's Diversity Committee

DRI Seminars:

Natural Resource Damages Litigation: An Overview Including Future Trends
Toxic Torts and Environmental Law Seminar
March 26, 2015
Austin, TX
Speaker

Toxic Torts and Environmental Law Seminar
Insurance in Environmental Litigation
March 2, 2018
Nashville, TN
Moderator

DRI Articles:

John S. Guttman's From the Chair Note
For the June 2018 Issue of For the Defense

John S. Guttman's From the Chair Note
For the June 2017 Issue of For the Defense

From the Chair Notes – multiple issues in Volumes 19 and 20 of the TTEL Newsletter

Newsletter of the Toxic Tort and Environmental Law Committee:
Beware the Litigation Risks of Emerging Contaminants
By John S. Guttman and Judi Durda
August 4, 2017

List any leadership roles in other defense organizations. None

Describe your goals if you are elected to the above position.

I believe that my experience as Managing Principal of my law firm and later Chair of our Strategic Planning effort would be of value to DRI's Board. DRI must plan strategically like any other organization if it is to meet the needs of its members, which is the key to DRI's own success. I have also been part of strategic planning efforts designed to chart a path to address future challenges at two non-profits where I am a board member: The National Association for Environmental Management and The C&O Canal Trust, which is the official non-profit partner of The C&O Canal National Historical Park. My goal would be to contribute that experience to DRI as a member of the Board. Additionally, I would want to participate in whatever ways that DRI's leadership deems best.

What do you believe is the most important issue confronting the defense bar?

I believe the rapid pace of change in the business of law, including technology, fewer trials and changing economics will challenge all defense lawyers whether in private practice or in corporate legal departments.

Define the appropriate role for DRI as the national defense bar organization.

DRI offers tremendous value to its members through networking, training and advocacy. The networking opportunities that DRI offers its members – both those in law firms and those in corporate legal departments – are extremely beneficial for the careers of members who take full advantage of them. DRI's CLE is unsurpassed in quality. DRI plays a very important role in policy and legal debates affecting the defense bar and our clients through the work of the Law and Policy Institute and its various committees. All of those extraordinary efforts should continue at their current high level and become even better wherever possible.

In the fast changing environment in which we are practicing law and our clients are conducting business, DRI needs to think big if it is to continue to grow and thrive. DRI must define and convey its value to corporate legal departments, insurance companies and defense law firms in a manner that makes a simple proposition clear to all: You are not a player unless you are a DRI member and involved to some degree. DRI does that today. The challenge is how to update the message for the next generation of defense advocates and to make the

message stronger by making DRI even stronger. Meeting this challenge is critical in an era of tight budgets and desk top CLE.

DRI must continue to be the forum where defense lawyers in private practice and in companies come together to share ideas and network on issues and strategies related to matters that affect their practices as defense practitioners. These subjects include the following: litigation financing, commoditization of some aspects of defense practice, competition from non-lawyers, competition from overseas, competition from technology, and changes in the economics of law practice that affect many DRI members. Not all DRI members will be affected by all of these changes in the marketplace. However, all DRI members – both litigators and regulatory practitioners - will be affected by at least some of them.

DRI is a forum to work through these issues as they affect lawyers on the defense side and their clients. Sometimes the plaintiffs' bar seems to adapt more quickly than those of us who practice on the defense side of the 'v.' DRI is a forum to help prevent that from happening and thereby benefit all of the defense bar and our clients.

Hobbies and/or interests: Music, baseball, fishing, reading crime and espionage fiction.

Family: My wife, Holly Cannon, is also an attorney. She serves as Executive Vice President and General Counsel of The Conservation Fund, which is a national conservation nonprofit. I have two fabulous daughters from an earlier marriage. Ellie just graduated from college as a dual major in mathematics and philosophy. Hope is a junior in high school and an aspiring actor.
