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Biggest Enviro Cases To Watch In 2025: Midyear Report

By Juan-Carlos Rodriguez

Law360 (July 7, 2025, 4:46 PM EDT) -- Lawsuits expected to advance during the second half of this year include one aimed at stopping the Trump administration from pulling funding for climate change projects and a landmark trial that could dictate states' powers to regulate forever chemicals.

New York's and Vermont's new laws to hold companies financially liable for climate change damages are also the subject of courtroom disputes brought by the Trump administration.

Here, Law360 previews the lawsuits environmental attorneys will be watching closely during the remainder of the year.

Climate Change Project Funding

While the U.S. Environmental Protection Agency took quick action in the first part of the year to block grant recipients from receiving any more funding that was authorized in laws passed by Congress during the Biden administration, it's facing lawsuits alleging its actions violated federal statutes.

Climate United, Coalition for Green Capital and Power Forward Communities — which were collectively awarded \$20 billion to distribute to other groups for climate change projects under the Greenhouse Gas Reduction Fund that was created as part of the 2022 Inflation Reduction Act — sued the EPA over its decision to freeze the funds, and Citibank for obeying the agency's order to stop payments.

Tyler A. O'Connor, a partner at Crowell & Moring LLP, said this case and other pending federal funding cases present interesting legal issues and have already resulted in practical consequences on the ground.

"While the legal battle plays out, it's also important to remember that there are real projects and real communities and real companies whose projects are at risk if they don't receive this federal funding," O'Connor said. "One of the best things we can do to facilitate more manufacturing and deployment of needed generation is to make sure that companies and nonprofits that received federal funding for those purposes actually get access to it and can deploy it in a way that builds new projects."

The case is *Climate United Fund et al. v. Citibank NA et al.*, number 25-5122, in the U.S. Court of Appeals for the District of Columbia Circuit.

New Jersey PFAS Trial

A high-profile trial over per- and polyfluoroalkyl substances, or PFAS, is unfolding in New Jersey federal court, where the state alleged E.I. du Pont de Nemours and its spinoff Chemours discharged the chemicals into the Delaware River from a manufacturing facility.

This is the first PFAS case brought by a state to go to trial. According to New Jersey, the wastewater treatment plant at DuPont's Chamber Works facility in Carneys Point, New Jersey, did not work and allowed PFAS to flow into the river.

The company has argued it was not required to disclose it was releasing PFAS — also known as "forever chemicals" due to their tendency to persist in the human body and environment — in its discharge to surface water permits.

Stuart Lieberman, a shareholder at Lieberman Blecher & Sinkevich PC and a former state deputy attorney general who represented the New Jersey Department of Environmental Protection, said the case has national importance.

"I think attorneys general from every state are going to be watching this," Lieberman said. "I think this is an amazing road map that will probably be repeated."

He said the trial has been particularly noteworthy because current New Jersey Commissioner of Environmental Protection Shawn M. LaTourette and former Commissioner Bradley Campbell both testified for the state.

"When I was a deputy attorney general, we always fought to keep those people out of court. And here, this is so important and so meaningful that these two commissions actually came to court and provided some very meaningful testimony," Lieberman said.

The case is New Jersey Department of Environmental Protection et al. v. E.I. du Pont de Nemours and Co. et al., case number 1:19-cv-14766, in the U.S. District Court for the District of New Jersey.

PFAS Consumer Products Suits

Consumer lawsuits alleging harm from exposure to PFAS have proliferated in recent months and have focused on products including smartwatch wristbands, adhesive bandages, tampons and juice containers.

The Hershey Co. was hit with two proposed class actions alleging its Kisses and Bubble Yum products contain PFAS. Apple Inc. was sued over allegations that its smartwatch wristbands contain at least one PFAS. And another proposed class action has been filed against Johnson & Johnson and its spinoff Kenvue Inc. alleging Band-Aid bandages have exposed people to PFAS.

This new generation of PFAS-based consumer product proposed class actions aims to overcome obstacles that thwarted earlier cases. In one previous lawsuit, for example, a California federal judge rejected the reliability of a testing method described by a putative consumer class as the "gold standard" for detecting PFAS, tossing claims that The Procter & Gamble Co. had falsely advertised its "pure cotton" Tampax tampons.

The cases are still in the briefing stages so there haven't been any rulings on scientific or legal matters yet.

The cases are In re Hershey Chocolate Litigation, case number 1:24-cv-01868, in the U.S. District Court for the Middle District of Pennsylvania; Mohamed v. The Hershey Co., case number 24STCV27893, in the Superior Court of the State of California, County of Los Angeles; Cavalier et al. v. Apple Inc., case number 5:25-cv-00713, in the U.S. District Court for the Northern District of California; and Aronstein v. Kenvue Inc. et al., case number 3:24-cv-04665, in the U.S. District Court for the District of New Jersey.

State Superfund Laws Under Attack

The Trump administration, GOP-led states and industry groups are challenging Vermont's and New York's efforts to combat climate change through state laws aiming to hold companies liable for climate change-related damage.

With the New York and Vermont lawsuits, the U.S. Department of Justice, business groups and states are challenging so-called climate Superfund laws, which allow New York and Vermont to recover financial damages from fossil fuel companies for the effects of climate change.

Jillian Marullo, special counsel at Pillsbury Winthrop Shaw Pittman LLP, said she expects to see more of these types of laws and is aware of about a dozen other states that have introduced similar bills. She said the outcome of the current lawsuits are likely to affect how those play out.

"Depending on how some of these initial procedural challenges shake out, we'll probably see that reflected in the legislatures of other states," Marullo said. "And if these laws end up failing, substantively, I think we're going to see these states come out with something a little different."

The cases are United States of America et al. v. Vermont et al., case number 2:25-cv-00463, and Chamber of Commerce et al. v. Moore, number 2:24-cv-01513, both in the U.S. District Court for the District of Vermont; and United States of America et al. v. State of New York, case number 1:25-cv-03656, in the U.S. District Court for the Southern District of New York.

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