

Rising Star: Morrison & Foerster's Navi Dhillon

Law360, New York (July 31, 2017, 4:03 PM EDT) - Morrison & Foerster LLP's Navi Dhillon has blazed a trail in the environmental law field through matters ranging from the defense of a commuter bus program in San Francisco to fighting off claims that certain cosmetics cause cancer — earning him a spot as one of three environmental law practitioners under 40 honored by Law360 as Rising Stars.

BIGGEST CASE OF HIS CAREER:

Dhillon was a key player in an extremely high profile challenge to the city of San Francisco's approval of commuter bus programs sponsored by his client Genentech Inc. and other companies including Google and Apple Inc. Some buses were vandalized by opponents, and other opponents sued to stop the program.

The plaintiffs asked the San Francisco Superior Court to issue a writ directing the city to do more environmental review. They also claimed the program was preempted by the state vehicle code, because the city passed an ordinance that set rules and regulations on issues such as where the buses could stop.

The private companies were all part of the suit as well, but Dhillon was the lead lawyer and directed the legal strategy for the team.

"We took a really aggressive approach in this case and at the end of it all, we had a motion to dismiss that we filed after trial," he said. "The city attorneys and the lawyers for the other companies suggested that I argue the motion on behalf of everybody, just because I was doing most of the

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STAR



Navi Dhillon
Morrison & Foerster

Age: 33

Home base: San Francisco

Position: Senior associate

Law school: University of California, Hastings College of the Law

First job after law school: Clerk for San Francisco Superior Court Judge John E. Munter

briefing on all the other matters that came up during the case. It was a great honor, frankly.”

In 2016, the court ruled from the bench in the city and companies’ favor. An appeal was dismissed, and the commuter bus program has continued.

“It was a great learning experience,” Dhillon said. “And it impacted the manner in which tens of thousands of people got to and from work everyday.”

WHY HE BECAME AN ENVIRONMENTAL ATTORNEY:

Dhillon said the environmental practice is a nice fit for him because more than 50 percent of the practice involves state court litigation — where he cut his teeth and where his particular expertise is.

“It allowed me to quickly bring my experience to bear on a lot of litigation matters,” he said. “You often get federal clerks that come into law firms like this, but it’s a bit unusual to get some state clerks, especially at the trial court level.”

He said federal practice is very different from state court practice and California law in general, and that there aren’t a lot of younger attorneys that are comfortable moving around the state court system.

The diversity of the practice area also keeps him interested, he said.

“I feel like there’s an encouragement to specialize in large law firms, maybe more so than in the past. I like the environmental law practice because it’s so broad in scope, you have so many environmental statutes that you get to work on. And those implicate a really wide range of industries. I’m always learning,” he said.

OTHER NOTABLE CASES:

Dhillon has had a hand in several other high-profile cases, including the successful defense of California’s Eastern Municipal Water District in a lawsuit brought by California River Watch that alleged a variety of Clean Water Act claims based on, among other things, alleged sanitary sewer overflows and effluent exceedances. A federal district court judge entered judgment in favor the district.

He also successfully defended more than 30 companies, including some large cosmetics brands, in a California Superior Court case in which plaintiffs alleged that exposure to titanium dioxide, a common ingredient in cosmetic powders and sunscreen, increased the risk of cancer. The court ruled in favor of Dhillon’s clients, as well as 70 additional parties.

ADVICE FOR YOUNG ATTORNEYS:

Young attorneys should develop a strong grasp of procedural rules in court and have a real interest in learning about different industries, Dhillon said.

“Environmental law itself is so expansive that it takes many, many moons to really say you’re an expert in the Clean Air Act or something like that. But if you have an interest in the industries themselves —

renewable energy, for example — I think that will make it more likely that you'll find environmental law practice enjoyable," he said.

The practice can be daunting because of the large number of rules and regulations, which can be scientific in nature and often poorly written, Dhillon said. But he added a lot of that can be overcome if young attorneys focus on the client's industry.

Mentorship is also key, he said.

"This space is so complicated, and you learn so much by osmosis, if you have the ability to work with someone who has 30 or 40 years of experience, there's really no substitute for that," Dhillon said.

— *As told to Juan Carlos Rodriguez*

Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2017 Rising Stars winners after reviewing more than 1,200 submissions. This interview has been edited and condensed.

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