



Kimberley J. Hale

Partner

Kimberley Hale's practice includes litigation, regulatory and transactional aspects of environmental law as well as land use and zoning law. A large part of Kimberley's practice has involved representing clients in connection with environmental concerns arising out of buying, selling, owning and financing distressed real estate. Kimberley routinely assists both purchasers and sellers across the United States with respect to environmental due diligence and assessing the environmental risks related to taking title to real property. Kimberley also advises small and large corporations and limited liability companies with regard to regulatory compliance and environmental due diligence during mergers and acquisitions. In addition to her transactional and regulatory work, Kimberley has substantial experience in defending citizen suits brought under the Clean Water Act as well as CERCLA, RCRA and other related land use and zoning litigation.

Kimberley is a recognized author and speaker on a broad range of environmental issues including environmental due diligence, federal and state brownfield program benefits, and federal and state vapor intrusion guidance. Kimberley is the Chair of the Environmental and Toxic Tort Section of the Atlanta Bar Association and an active member of the Environmental Section of the State Bar of Georgia.

Prior to law school, Kimberley obtained her civil engineering degree from the Georgia Institute of Technology and worked as an environmental engineer with an Atlanta private engineering consulting firm designing municipal solid waste landfills, stormwater pollution prevention plans, commercial site plans and small roadways in accordance with Georgia EPD solid waste handling regulations and Georgia DOT guidelines. Since graduating from law school in 1998, she has built on this experience by advising clients on legal matters involving state and federal solid waste management laws and Georgia's strict stormwater and erosion control rules.

Before beginning her legal practice at a private law firm, Kimberley clerked for Chief Judge G. Ernest Tidwell for the Northern District Court of Georgia and was responsible for reviewing all civil case motions and drafting orders addressing those motions. This experience gave Kimberley a unique insight to litigating in federal courts.

In law school, Kimberley was Editor-in-Chief of the Journal of Intellectual Property Law and a member and coach of the Jessup International Moot Court Team.

Representative Experience

- Advised various national lenders with respect to environmental due diligence issues including the associated environmental risk for the collateral prior to the purchase of large loan portfolios or taking title following default.

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Education

University of Georgia
(JD, 1998)
Georgia Institute of Technology
(BCE, 1994)

Admitted to Practice

Georgia

- Advised various developers and prospective real estate purchasers with respect to environmental due diligence and application to the applicable state brownfield program allowing for closure of relevant environmental concerns and acquirement of tax and other benefits.
- Advised national property management company with respect to federal, state, and local lead-based paint regulations at properties across the country.
- Represented several Georgia scrap metal recycling companies in Clean Water Act citizen suit disputes regarding Georgia's new NPDES General Permit No. GAR050000 for Storm Water Discharges Associated with Industrial Activity.
- Represented various companies in environmental litigation, including cost recovery actions, brought pursuant to CERCLA, RCRA, nuisance and trespass laws, and other federal and state laws.
- Defended a former dry cleaner owner in a cost recovery action brought pursuant to RCRA, nuisance and trespass laws.