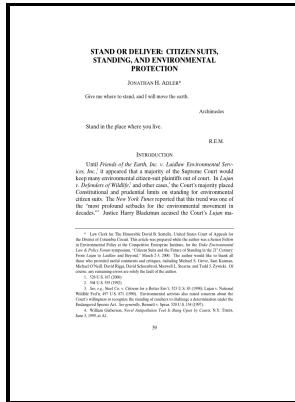


Environmental citizen suits

Butterworth Legal Publishers - Amicus Briefing Suggests Citizen Suits Are Unconstitutional

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ENVIRONMENTAL CITIZEN SUITS: STANDING AND MOOTNESS AFTER LAIDLAW: CAPLIN PAVILION, UNIVERSITY OF VIRGINIA SCHOOL OF LAW, MARCH 28, 2000 on JSTOR

Senator Mitchell stated during debates surrounding the 1990 CAA amendments that the use of court action via citizen suits was necessary, given the limited governmental resources to enforce legislation.

ATTORNEYS' FEES IN ENVIRONMENTAL CITIZEN SUITS: SHOULD PREVAILING DEFENDANTS RECOVER?

Please note that the likelihood ratio reported in Table 3 is relative to a panel with two Republican judges and one Democratic judge. These laws allow individuals and groups to act as private attorneys general by enforcing environmental requirements against alleged violators.

Notices of Intent to Sue the U.S. Environmental Protection Agency (EPA)

These suits also have the potential to divert agency resources from programs that agencies have prioritized.

Environmental Conflicts with Reimbursement for Citizen Suits

This was clearly not the intent of the attorneys fees provisions of citizen suits. Circuits, the small number of cases that could be filed in other circuits limited the impact of forum shopping. Judicially-Created Exceptions to the American Rule The federal courts have developed three exceptions to the American Rule: the bad faith exception, the common fund exception, and the private attorneys general exception.

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