

No. R-113. House concurrent resolution congratulating the Vermont Law School 2013 National Environmental Law Moot Court Competition championship team.

(H.C.R.75)

Offered by: Representative Buxton of Tunbridge

Whereas, for the 25th year, the National Environmental Law Moot Court Competition (NELMCC) was held at the Pace Law School in White Plains, New York, and

Whereas, teams of students, representing their respective law schools, argued an environmental case before an appellate panel of the mythical U.S. Court of Appeals for the Twelfth Circuit, and

Whereas, in 2013, the legal scenario featured the New Union Wildlife Federation as the environmental organization plaintiff, which had sued defendant Jim Bob Bowman in a citizen suit alleging that the defendant violated the federal Clean Water Act because he had converted approximately 1,000 acres of wetlands into dry land without the necessary Clean Water Act permit, and

Whereas, the plaintiff had lost in the U.S. District Court for the District of New Union, the state where the alleged violation occurred, both procedurally for lack of judicial standing and substantively on all grounds, and

Whereas, the scenario's facts left the plaintiff's counsel with the challenge of proving the federal district court at least partially incorrect, and the defendant's counsel had the task of persuading the appellate tribunal that the lower court issued a correct decision, and

Whereas, the law students were required to zealously represent both sides of this dispute, which occurred on the shoreline of the appropriately named Muddy River, and

Whereas, the teams' oral arguments were judged on their organization and preparation, courtroom presentation, handling of questions, and legal reasoning, and an adjustment factor was also granted to the judging panel, and

Whereas, the Vermont Law School (VLS) team, consisting of Emily Dupraz, Ryan Kane, and Joshua Leckey, was named the overall winner, and

Whereas, the VLS team was also honored for presenting the best overall brief, and

Whereas, 2013 was the first VLS victory at the NELMCC since the team of David Mears, Hans Huessy, and Davis Buckley won in 1991, now therefore be it

Resolved by the Senate and House of Representatives:

That the General Assembly congratulates the Vermont Law School 2013 National Environmental Law Moot Court Competition championship team, and be it further

Resolved: That the Secretary of State be directed to send a copy of this resolution to Vermont Law School.