

who approach forming their vapor intrusion opinions by considering “multiple lines of evidence” will be well positioned to thwart *Daubert* motions and be persuasive at trial.

- Vapor intrusion experts need to offer opinions that clearly prove up the elements required for the cause of action. For example, expert testimony that merely identifies a potential vapor intrusion problem and recommends more investigation will be inadequate in a situation where it necessary to actually show that the vapor intrusion causes an endangerment or a substantial impact.

- The areas of expertise are many in the field of vapor intrusion: geology, hydrogeology, soil physics, chemistry, toxicology, etc. While courts may allow an expert with experience in the environmental sciences to testify on the issue of vapor intrusion, a single expert on vapor intrusion may not be adequate. Litigants will be best served by having more than one expert covering the different specialties at issue in vapor intrusion.

- While vapor intrusion is a serious concern, under the right circumstances, vapor intrusion can potentially have only a minimal impact on land use, development plans, and property values. Experts have been able to show that vapor intrusion risks can be managed and mitigated, and done so in a way that results in the damages associated with vapor intrusion being kept to minimum.

Experts play a critical role in the litigation of vapor intrusion claims. All these cases show what was stated earlier in this paper. With vapor intrusion experts, like with experts in any other aspect of environmental litigation, it is essential to look for and do good science, and look for and display good professional judgment.

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