

Index

ACCESS

Discovery, **4:8, 5:15, 5:28, 5:34, 6:8**

ACCIDENTS

Reports, **6:51**

ACQUISITION

Responses, **4:11**

ADMINISTRATIVE ENFORCEMENT

Procedures, **1:9, 1:11**

ADMINISTRATIVE LAW

Decisions, **4:2**
Defenses, **2:136**
Enforcement, **1:11, 1:45, 3:2, 4:2**
Manuals, **1:11**
Opinions, **1:11**
Permits, **3:2**
Regulations, **1:11, 2:77, 3:2, 4:2**

ADMISSIONS

Discovery, **5:14**

AFFECTING

Definition, **3:41, 5:3**

ALABAMA

Notice, **5:12**
Statutes, **1:1, 5:12**

ALLEGATIONS

Discovery, **5:14, 5:15, 5:23, 5:27, 5:28, 6:8, 6:14**

ALTERNATIVE DISPUTE RESOLUTION

Settlement, **4:8**

ANSWERS

Administrative, **1:9, 6:20, 6:55**
Original, **5:34, 6:55**

APPLICATIONS

Permits, **2:68**

ARKANSAS

Statutes, **5:13**

ASSESSMENT

Burden of proof, **4:8, 5:14, 5:25**
Enforcement, **1:23, 1:27, 1:36, 2:124, 4:9, 5:14, 6:1**
Exposure, **1:27, 6:50, 6:51**
Self-assessment, **1:46**

ASSUMPTIONS

Risk, **5:15**

ATTORNEY-CLIENT PRIVILEGE

Crime fraud exception, **6:43**
Defense, **1:46, 6:40, 6:43, 6:45, 6:46, 6:48**
Scope of, **6:40, 6:45, 6:46**

ATTORNEYS

Conflict of interest, **6:48**
Defenses, **6:50, 6:55**
Independent counsel, **6:4**
Joint defense agreement, **6:48**
Litigation, **1:22, 5:22, 5:28 to 5:30, 5:34, 6:8, 6:13, 6:45, 6:46, 6:48, 6:51**
Privilege, **1:46, 5:26, 6:4, 6:45, 6:46, 6:48, 6:50**
State laws, **1:1**

AUTOMATIC STAY

Bankruptcy, **5:32**

AVAILABILITY

Permits, **2:69, 2:131, 3:89, 4:9, 5:23**

BACK

Causation, **3:91, 5:30**

BANKRUPTCY

Automatic stay, **5:32**
Claims, **4:8, 4:15, 5:25, 5:32, 6:4**
Defendant, **5:25, 5:32, 6:52**

BANKRUPTCY—Cont'd

Parties, 4:8, 5:25
Permits, 5:25
Settlement, 4:8, 5:25, 6:4

BOUNTIES

Enforcement, 1:1

BRIEFS

Expert testimony, 4:8, 5:14
Permits, 5:31
Remand, 4:8
Standing, 5:14, 5:31
Summary judgment, 4:8, 5:14

CALIFORNIA

Causation, 5:13
Notice, 1:15, 2:94, 5:22

CANCER

Policy, 1:11

CAUSATION

Audits, 5:13
Back, 3:91, 5:30
Civil penalties, 3:91
Conditions, 5:13, 5:30
Corporation, 5:13
Damages, 3:91, 5:13, 5:30
Definitions, 3:91
Employees, 5:6, 5:30
Enforcement, 5:13
Evidence, 3:91, 5:6, 5:13, 5:30
Expert testimony, 5:30
Fire, 3:91
Lead, 3:91, 5:13
Penalties, 3:91, 5:6, 5:13
Pennsylvania, 5:13
Physician, 3:91, 5:13
Pleading, 5:13
Radiation, 3:91
Setting, 3:91
Settlement, 3:91, 5:30
Statutes, 5:6, 5:13, 5:30
Temperature, 5:13
Threshold, 3:91
Time, 3:91, 5:13, 5:30

CAUSE OF ACTION

Damages, 5:13
Motion to dismiss, 5:13

CAUSE OF ACTION—Cont'd

Standing, 5:13

CERTIORARI

Petition for, 2:77, 2:79

CIVIL ENFORCEMENT

Burden of proof, 1:4
Damages, 1:4
Defendants, 1:3
Parties, 1:3
Process, 1:4, 4:17
Settlement, 1:3, 1:4, 4:17

CIVIL PENALTIES

Administrative, 1:13, 3:88, 3:91,
4:1, 4:2, 4:9, 4:11 to 4:14,
5:1, 6:51
Appeals, 3:91, 4:2, 4:11, 4:14,
6:51
Negotiations, 6:51
Purpose, 2:75, 3:91, 4:2, 4:9, 5:1,
5:16, 5:36

CLAIMS

Aggregation, 3:87
Bankruptcy, 4:8, 4:15, 5:25, 5:32,
6:4
Discovery, 1:33, 4:8, 5:14, 5:15,
5:18, 5:23, 5:27, 5:28, 5:34,
6:8, 6:14, 6:23
False Claims Act, 1:1, 1:3, 1:4,
1:9, 1:13, 1:15, 1:16, 1:21,
1:22, 1:24, 1:41, 1:44, 2:85,
2:87, 2:118, 2:134, 2:137,
3:4, 3:85, 3:87, 3:89 to 3:92,
4:1, 4:5, 5:1, 5:4, 5:9 to
5:15, 5:17, 5:19, 5:20, 5:24
to 5:26, 5:28, 5:30, 5:33,
5:35 to 5:37, 6:1, 6:3 to 6:5,
6:10, 6:12 to 6:14, 6:23,
6:46, 6:50, 6:51, 6:54
Release, 1:4, 2:136, 3:90, 4:11,
4:15, 5:26
Summary judgment, 1:11, 2:85,
2:87, 3:91, 3:92, 4:8, 5:10,
5:12 to 5:15, 5:24

COLORADO

Health, 5:14, 6:12
Investigation, 5:14, 5:37
Notice, 5:14

INDEX

COLORADO—Cont'd

Statutes, 5:14

COMMITMENT

California, 6:4

COMMON LAW

Damages, 3:91, 5:1, 5:10, 5:12,
5:14, 6:51

COMMUNITY

Local government, 4:3

COMPENSATION

Taking, 1:1, 1:27, 2:118, 2:132,
3:35 to 3:37, 3:39, 3:54,
3:74, 3:84, 3:91, 5:14, 5:28

COMPLAINTS

Administrative, 1:12, 3:2, 3:91,
4:15, 5:22, 5:23, 5:25, 6:2,
6:50

Amended complaint, 5:15, 5:22,
5:25, 5:34

Corporation, 2:87, 5:12, 5:25

Damages, 3:91, 5:12

Defense, 2:87, 3:91, 5:12, 5:19,
5:25, 6:2, 6:50

Due process, 4:15

Fill, 5:12

Insurance coverage, 5:15

Intervention, 5:22, 5:27

Judicial review, 3:91, 4:15

Permit, 3:11, 5:12, 5:15, 5:23,
5:27

Pleadings, 5:12, 5:15

Regulations, 2:29, 3:2, 3:11, 3:30,
3:91, 4:15, 5:12, 5:15, 6:50

US, 3:91, 5:15, 5:22, 5:23, 5:34

COMPLETION

Conditions, 2:68, 3:77, 5:14

Insurance, 5:14

COMPLIANCE

Enforcement, 1:1, 1:2, 1:4, 1:7 to
1:11, 1:15, 1:16, 1:18, 1:21
to 1:23, 1:27, 1:29, 1:36,
1:44, 1:45, 2:28, 2:61, 2:97,
2:135, 3:4, 3:85, 3:87, 4:4,
4:5, 5:13, 5:14, 5:17, 6:1,
6:4, 6:10, 6:26, 6:32 to 6:34
Federal enforcement, 1:1

COMPLIANCE—Cont'd

Monitors, 2:68

CONDITIONS

Belief, 3:37, 3:74, 3:79, 5:30

Burden of proof, 3:74, 4:8, 5:14

Case law, 3:37

Cause of action, 5:13

Completion, 2:68, 3:77, 5:14

Courts, 2:12, 3:92, 4:4, 4:8, 4:15,
5:13, 5:14, 5:30, 6:29, 6:41

Decisions, 2:35, 2:60, 2:68, 2:69,
2:129, 2:134, 4:8, 5:14, 5:30

Discovery, 4:8, 5:14, 5:15

Disregard, 2:60, 3:59, 5:13

Enforcement, 1:9, 1:18, 1:21,
1:44, 1:45, 2:12, 2:61, 2:111,
3:68, 3:86, 4:4, 4:9, 4:15,
4:16, 5:13, 5:14

Judgment, 2:60, 2:134, 3:92, 4:4,
4:8, 4:9, 5:13 to 5:15

Lenders, 5:14

Occurrence, 3:55

Parties, 2:35, 2:39, 2:55, 2:60,
2:61, 2:67 to 2:70, 2:72,
2:73, 2:129, 3:36, 3:37, 3:39,
3:59, 3:68, 3:72, 3:74, 3:77,
3:79, 3:80, 3:84, 4:8, 4:9,
4:11, 5:14, 5:15

Preclusion, 2:60, 3:71, 4:15

Prejudice, 5:15

Reimbursement, 1:21, 1:32, 1:35,
2:67, 2:73, 2:134, 3:1, 3:16,
3:23, 3:39, 3:72, 3:94, 4:9,
4:11, 5:13 to 5:15, 6:29

Responses, 1:9, 4:11, 5:13

Suit, 5:13, 5:14, 5:30, 6:41

Trier of fact, 5:14

Trigger, 5:13

CONFIRMATION

Tennessee, 5:13

CONFUSION

Defense, 5:12, 6:10

CONGRESS

Hearings, 2:8, 5:23, 6:12

Judicial interpretation, 2:1, 6:52

Limitations, 5:12, 5:13, 5:36, 6:31

Powers, 4:3, 5:36, 6:8, 6:23

CONNECTICUT

Notice, **5:25**

CONSPIRACY

Criminal penalties, **5:16**

CONTRACTORS

Conflicts of interest, **1:22**
 Indemnification, **5:32**
 Liabilities, **1:22**
 Suspension, **4:7, 4:15, 5:14, 5:32**
 Types of, **1:12, 1:22, 1:24, 2:35, 2:40, 2:56, 4:2, 5:14, 5:17, 5:20, 6:2, 6:56**

CONTRACTS AND AGREEMENTS

Defenses, **6:54**
 Drafting, **6:54**
 State laws, **6:54**

CONTRIBUTION

Protection, **2:60, 2:68, 2:73**
 Settlement, **5:29**
 US, **5:32**

COOPERATION

Discovery, **5:18**
 Duty, **5:12, 6:45, 6:48**

CORPORATIONS

Auditing, **5:16**
 Criminal liability, **1:4**
 Individuals, **1:4, 3:27, 4:15, 5:16, 6:1, 6:4, 6:27, 6:51**
 Integrity agreement, **1:4**
 Investigations, **1:4, 4:15, 5:16, 6:1, 6:4, 6:27, 6:51**
 Liability, **1:4, 2:22, 5:16, 6:4, 6:51**
 Officers, **5:16, 6:4, 6:51**
 Ownership, **2:29, 3:12, 3:21, 3:22, 3:27**
 Parties, **2:29**
 Partners, **3:21, 6:1**
 Privilege, **6:4, 6:27**
 Shareholders, **3:21, 5:16**
 Wrongdoing, **1:4, 6:1, 6:4**

COURTS

Facility, **2:12, 3:91, 4:3, 4:8, 5:12 to 5:14, 6:35**

COURTS—Cont'd

Payments, **1:13, 2:4, 2:6, 2:7, 2:12, 2:40, 2:76, 2:79, 3:91, 3:92, 4:3, 4:4, 4:15, 5:10, 5:12 to 5:14, 5:18, 5:29, 5:32, 5:35, 6:29, 6:45**

CRIMINAL ENFORCEMENT

Department of Justice, **1:1, 1:27**
 Elements, **1:27, 2:28**
 Federal sentencing guidelines, **1:1, 1:27**
 History, **1:1, 1:27**
 Intent, **1:1, 1:27**
 Penalties, **1:1, 1:27**
 Sentencing, **1:1, 1:27**
 Voluntary compliance, **1:27**

CRIMINAL LIABILITY

Corporate wrongdoing, **1:4**
 Corporations, **1:4**
 Yates Memo, **1:4**

CROSS-EXAMINATION

Discovery, **5:27**

DAMAGES

Amount, **2:136, 3:44, 3:91, 4:13, 5:1, 5:9, 5:10, 5:12, 5:13, 5:18, 5:28, 5:30, 5:35, 5:36, 6:51**
 Case law, **3:91, 5:33**
 Cause of action, **5:13**
 Common law, **3:91, 5:1, 5:10, 5:12, 5:14, 6:51**
 Compensatory damages, **5:30**
 Contribution, **5:32**
 Defenses, **2:136**
 Disability, **1:4**
 Enforcement, **1:4, 5:1, 5:10, 5:13, 5:14, 5:32**
 Evidence, **3:91, 5:10, 5:12 to 5:14, 5:18, 5:28, 5:30, 5:35, 6:51**
 Experience, **5:14**
 Exposure, **1:28, 6:51**
 Fines and penalties, **5:10**
 Insurance, **1:4, 5:12 to 5:14, 6:51**
 Judge, **3:91, 6:51**
 Life, **5:14, 6:51**

INDEX

DAMAGES—Cont'd

- Limitations, 2:136, 5:12, 5:13, 5:32, 5:36
- Market value, 2:136, 3:44, 3:91
- Medical, 1:4, 1:28, 3:44, 3:91, 4:13, 5:1, 5:10, 5:12 to 5:14, 5:30, 6:51
- Natural resources, 5:33, 5:36
- Negligence, 5:12
- Obligation, 5:10, 5:13, 5:28
- Payment, 1:4, 2:136, 3:91, 4:13, 5:1, 5:10, 5:12 to 5:14, 5:18, 5:32, 5:35
- Priority, 1:4
- Quality of life, 5:14
- Recoverable, 5:14, 5:35
- Remediation, 5:18
- Special damages, 5:30
- Standards, 1:4, 5:1, 5:12 to 5:14, 5:28, 5:30, 6:51
- State law, 1:4, 5:1, 5:30, 5:32, 5:33, 6:51
- Statutes, 5:1, 5:10, 5:12 to 5:14, 5:30, 5:33, 6:51
- Treble damages, 5:36, 6:51
- Value, 2:136, 3:44, 3:91

DANGER

- Insurance, 1:21

DEBARMENT

- Appeal, 4:2
- Enforcement, 4:2
- Grounds, 4:2
- Procedures, 5:18

DECLARATION

- Responses, 5:13

DEFECTS

- Insurance, 5:12, 5:14

DEFENSE COUNSEL

- Discovery, 5:14, 5:28

DEFENSES

- Affirmative defenses, 4:14
- Audits, 2:136, 6:50
- Authority, 2:136, 4:14, 6:16
- Client, 6:50, 6:53 to 6:55
- Communication, 6:50

DEFENSES—Cont'd

- Computers, 6:16
- Confidentiality, 6:50
- Contracts and agreements, 6:54
- Damages, 2:136
- Diminished capacity, 6:50
- Disclosure, 2:136
- Enforcement, 6:55
- Estoppel, 4:14
- Evidence, 4:14, 6:16, 6:50
- Exceptions, 4:14
- Exclusion, 2:136, 4:14, 6:16, 6:54
- Exclusions, 4:14
- Federal, 2:136, 4:14, 6:16, 6:50, 6:54, 6:55
- Freedom of Information Act, 2:136
- Identification, 2:136
- Insurance, 4:14
- Investigations, 2:136, 6:16, 6:50, 6:53 to 6:55
- Judge, 6:50
- Jurisdiction, 4:14
- Laches, 2:136
- Leases, 2:136
- Notice, 4:14, 6:16, 6:50
- Opinion, 2:136, 6:50
- Parties, 2:136
- Privilege, 6:50
- Release, 2:136
- Representatives, 6:50, 6:54
- Search, 6:16, 6:50, 6:55
- Settlements, 2:136
- Time, 2:136, 6:50, 6:54, 6:55
- Witnesses, 6:50

DEPARTMENT OF JUSTICE

- Settlement, 1:1, 1:3, 1:4, 2:87, 2:97, 2:136, 3:90, 5:14, 5:18, 5:25, 5:27, 5:28, 6:4, 6:9

DEPOSITIONS

- Discovery, 5:18

DETERMINATIONS

- Enforcement, 1:11, 3:2, 4:9, 5:14
- Permits, 3:2, 4:9

DIMINISHED CAPACITY

- Defenses, 6:50

DISABILITY

Damages, 1:4

DISCHARGE

Jurisdiction, 1:4

DISCLOSURE

Availability, 2:59, 2:61, 4:4, 4:9, 5:23

Defenses, 2:136

Employees, 1:25, 1:27, 3:90, 4:4, 4:9, 5:18, 5:22, 5:23, 5:25, 5:26, 6:4, 6:45, 6:48

Federal enforcement, 1:1

Insurance, 1:1, 1:4, 1:9, 1:25, 3:93, 4:6, 4:9, 5:26, 6:1, 6:4, 6:9, 6:43, 6:51

Lenders, 2:59, 6:43

DISCOVERY

Allegations, 5:14, 5:15, 5:23, 5:27, 5:28, 6:8, 6:14

Attorneys, 5:28, 5:34, 6:8, 6:22

Auditors, 5:18, 6:8

Audits, 5:14, 5:23, 6:8

Burden of proof, 4:8, 5:14

Changes, 4:8, 5:18, 5:23

Claims, 1:33, 4:8, 5:14, 5:15, 5:18, 5:23, 5:27, 5:28, 5:34, 6:8, 6:14, 6:23

Conditions, 4:8, 5:14, 5:15

Contempt, 6:22

Courts, 4:8, 5:14, 5:18, 5:23, 5:27, 5:34, 6:8

Cross-examination, 5:27

Defendants, 5:14, 5:15, 5:23, 5:28, 5:34

Defense counsel, 5:14, 5:28

Depositions, 5:18

Document, 1:33, 5:15

Employees, 5:14, 5:15, 5:18, 5:23

Employment, 5:23

Exception, 4:8, 5:23, 5:27

Exclusion, 4:8, 5:18, 6:8

FDA, 5:14

Federal courts, 4:8

Federal Rules of Civil Procedure, 5:15, 5:27, 5:34

Fines, 4:8

Former employees, 5:15, 5:23

DISCOVERY—Cont'd

Fraud, 1:33, 5:14, 5:15, 5:23, 5:27, 5:28, 5:34, 6:8, 6:14, 6:22

Freedom of Information Act, 5:34

Good faith, 5:18, 6:22

Government agencies, 5:15

Initial investigation, 5:28

Inspection, 5:34

Insurance, 5:14, 5:15, 6:8

Interrogatories, 5:34

Investigation, 5:14, 5:18, 5:23, 5:27, 5:28, 5:34, 6:8, 6:14

Lists, 4:8, 6:14

Marketing materials, 5:14

Media, 5:23

Medical records, 5:14, 5:15

Meetings, 5:18

Memorandum, 5:14, 5:28, 6:14

Motion for, 4:8, 5:14

Orders, 5:27

Penalties, 4:8, 5:18, 6:8

Plaintiffs, 5:14, 5:15, 5:23, 5:27

Records, 5:14, 5:15, 5:23, 5:34, 6:8, 6:22

Remedial issues, 5:27, 5:28

Remediation, 5:18

Sanctions, 5:14, 5:34, 6:8

Search, 5:23, 5:28, 6:22

Settlements, 5:14, 5:28, 6:8

Stipulations, 4:8

Subpoenas, 4:8, 5:34, 6:8, 6:22

Witnesses, 4:8, 5:27

DISCRETION

Damages, 1:4, 3:91, 4:13, 5:10, 5:13, 5:18, 5:35, 6:51

Enforcement, 1:4, 2:28, 2:135, 3:2, 4:4, 5:10, 5:13, 6:4

DISMISSAL

Discovery, 5:14, 5:15, 5:27, 5:28, 5:34, 6:14

Motion to dismiss, 5:12, 5:14, 5:15, 5:25, 5:28, 6:14

Motions for, 5:34

Standard for, 5:12, 5:28

Standing, 5:14

INDEX

DISTRICT OF COLUMBIA

Assessment, 5:25
Investigation, 5:25, 6:41
Releases, 5:25
Statutes, 1:11, 6:13, 6:41

DOUBLE JEOPARDY

Defense, 5:16

DRAFTING

Complaint, 2:87
History, 2:85, 2:87

DUE PROCESS

Complaints, 4:15
Congress, 5:16, 6:31

EDUCATION

Defense, 1:1, 5:14, 5:16

ELEVENTH AMENDMENT

Sovereign immunity, 5:33

ELIGIBILITY

Permits, 2:73, 3:72, 4:7, 4:9, 5:25, 6:51

EMPLOYMENT

Concerns, 2:71, 4:11, 5:30, 6:45
Discovery, 5:23
Exclusion, 1:36, 2:105, 2:134, 3:59, 4:2, 4:4, 4:11, 5:1, 6:45
Expert testimony, 5:30

ENFORCEMENT

Administrative, 1:1, 1:4, 1:7 to 1:9, 1:11 to 1:13, 1:22, 1:23, 1:44, 1:45, 2:28, 3:2, 3:85, 3:87, 4:2, 4:4, 4:5, 4:9, 4:15 to 4:17, 5:1, 5:13, 5:14, 5:32, 6:1, 6:2, 6:6, 6:7, 6:10, 6:21, 6:26, 6:27, 6:32 to 6:34, 6:55
Burden of proof, 1:4, 3:85, 5:14
Causation, 5:13
Civil enforcement, 1:3, 1:4, 4:17, 6:3, 6:5, 6:34
Civil penalties, 1:13, 1:21, 3:4, 4:2, 4:9, 5:1
Conditions, 1:9, 1:18, 1:21, 1:44, 1:45, 2:12, 2:61, 2:111, 3:68, 3:86, 4:4, 4:9, 4:15, 4:16, 5:13, 5:14

ENFORCEMENT—Cont'd

Contractors, 1:1, 1:7, 1:8, 1:12, 1:22, 3:68, 3:85, 4:2, 4:15, 5:3, 5:11, 5:14, 5:17, 5:32, 6:2, 6:10, 6:15
Criminal enforcement, 1:1, 1:27, 2:28
Damages, 1:4, 5:1, 5:10, 5:13, 5:14, 5:32
Defenses, 6:55
Evidence, 2:118, 4:2, 4:4, 4:15, 4:16, 5:10, 5:13, 5:14, 6:4, 6:5, 6:13, 6:24 to 6:27, 6:32, 6:34, 6:35, 6:38
Exclusions, 1:1, 1:3, 1:9, 1:13, 1:16, 1:44, 4:2, 4:4, 4:5, 4:9, 4:15 to 4:17
Generally, 1:29
Injunctive relief, 5:13
Inspection, 1:3, 4:9, 6:7, 6:26, 6:34
Judicial review, 4:15, 6:1
Lenders, 5:14
Penalties, 1:1, 1:3, 1:4, 1:12, 1:13, 1:16, 1:18, 1:21, 1:23, 1:27, 1:44, 1:45, 2:97, 2:111, 3:2, 3:4, 3:93, 4:2, 4:4, 4:5, 4:9, 4:15 to 4:17, 5:1, 5:3, 5:10, 5:13, 6:5, 6:7
Permits, 3:2, 3:85, 4:9, 4:16, 5:1, 5:10, 6:6, 6:13
Regulators, 1:4, 3:2, 3:4, 3:25, 3:68
Scienter, 1:11, 5:13, 6:13
State programs, 1:21

ENTRY

Water, 2:99

ENVIRONMENT

Definition, 3:91, 4:3, 5:12, 5:30

EQUAL ACCESS TO JUSTICE ACT

Application, 4:8
Costs, 5:29
Expenses, 5:29

EVIDENCE

Allocation, 5:28, 5:35

MEDICARE AND MEDICAID FRAUD AND ABUSE

EVIDENCE—Cont'd

California, 3:1, 5:13, 5:15, 6:4, 6:5
Causation, 3:91, 5:6, 5:13, 5:30
Conditions, 2:35, 2:68, 3:1, 3:36, 3:49, 3:77, 3:79, 4:4, 4:8, 4:15, 4:16, 5:13 to 5:15, 5:30, 6:29, 6:41
Damages, 3:91, 5:10, 5:12 to 5:14, 5:18, 5:28, 5:30, 5:35, 6:51
Defenses, 4:14, 6:16, 6:50
Discovery, 1:33, 4:8, 5:14, 5:15, 5:18, 5:23, 5:27, 5:28, 5:34, 6:8, 6:23
Enforcement, 2:118, 4:2, 4:4, 4:15, 4:16, 5:10, 5:13, 5:14, 6:4, 6:5, 6:13, 6:24 to 6:27, 6:32, 6:34, 6:35, 6:38
Federal Rules of Evidence, 6:41, 6:43
Lack of, 1:33, 2:137, 4:2, 5:12 to 5:15, 5:35
Lead, 2:96, 3:91, 5:13, 5:15, 5:18, 6:35, 6:50
Permits, 2:68, 3:89, 4:12, 4:16, 5:10, 5:23, 5:25, 6:13, 6:41, 6:51
State laws, 6:29
Witnesses, 4:8, 5:13, 5:27, 6:50

EXCEPTIONS

Administrative law, 3:2
California, 3:1
Insurance, 1:25, 2:20, 2:128, 3:61, 3:63, 3:78, 3:93, 4:14
Permits, 3:2, 3:20, 3:32, 3:39, 3:40, 3:46, 3:48, 3:50, 3:61
Responses, 2:20

EXHAUSTION

Insurance, 5:13

EXPERIENCE

Damages, 5:14

EXPERT TESTIMONY

Survey, 4:14

EXPOSURE

Assessment, 1:27, 6:50, 6:51
Damages, 1:28, 6:51

EXPOSURE—Cont'd

Definitions, 4:2
Discovery, 1:33
Insurance, 6:51, 6:56

FACILITIES

Closure, 5:14
Definitions, 1:25, 3:92, 4:9
Storage, 2:131
Treatment, 2:12, 2:131, 2:134, 3:1, 3:20, 3:21, 3:49, 3:90, 4:3, 4:9, 4:11, 5:14, 6:1, 6:10

FACILITY OPERATORS

Enforcement, 1:44

FEDERAL AGENCIES

Administrative law, 4:2
Discovery, 5:34

FEDERAL COURTS

Defense, 5:25, 6:34, 6:43
Discovery, 4:8
Jurisdiction, 4:8
State laws, 6:29

FEDERAL ENFORCEMENT

Disclosure, 1:1
Penalties, 1:1
Purpose, 1:1
Review, 1:1
Sentencing, 1:1
Water, 1:1

FEDERAL LAWS

Enforcement, 5:13
Federal Register, 1:41, 2:136
Guidelines, 5:13
Notice, 2:87
Responsibility, 1:41, 6:29
Updates, 2:136

FEDERAL REGISTER

Notice, 3:33

FEDERAL RULES OF CIVIL PROCEDURE

Discovery, 5:15, 5:27, 5:34

FEDERAL RULES OF EVIDENCE

Defense, 6:43

INDEX

FEES

Expert testimony, 4:8, 5:14, 5:30
Permits, 2:41, 2:99, 2:131, 3:89,
6:13, 6:51

FIFTH AMENDMENT

Self-incrimination, 6:19, 6:27 to
6:29, 6:32

FINDINGS

Supplemental, 1:36

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Expert testimony, 4:8

FINES AND PENALTIES

Criminal law, 5:10

FLEXIBILITY

Permits, 4:9, 4:12

FLOOD INSURANCE

Summary judgment, 5:12

FLORIDA

Causation, 3:91, 5:13, 5:30
Common law, 2:6, 3:91, 3:92,
5:10, 5:14
Criminal statutes, 5:10
Damages, 3:91, 5:10, 5:13, 5:14,
5:30
Disclose, 1:1, 3:90, 5:13, 5:14,
6:4
Facilities, 3:1, 3:90, 3:92, 5:14,
5:15, 6:12
Insurance, 1:1, 2:114, 5:13 to
5:15, 6:4, 6:5
Jurisdiction, 6:12
Legislation, 1:1, 3:1, 6:12
Manufacturer, 5:10, 5:13 to 5:15
Notice, 2:87, 5:14, 5:30
Statutes, 1:1, 3:1, 3:92, 5:10,
5:13, 5:14, 5:30
Theories, 5:13, 5:14

FOOD AND DRUG ADMINISTRATION

Discovery, 5:14

FORMER EMPLOYEES

Discovery, 5:15, 5:23

FORMS

Florida, 1:1, 5:15
Kansas, 5:15

FREEDOM OF INFORMATION ACT

Complaint, 5:25, 5:34
Discovery, 5:34
Parties, 2:136, 5:25
Requests, 5:25

FREQUENCY

Permits, 2:68, 3:61, 5:10, 6:13

GENERATORS

Liability, 5:11

GEORGIA

Forms, 5:12, 5:15
Notice, 5:12
Response, 5:15
Statutes, 5:10, 5:12

GOOD FAITH

Defense, 2:86, 2:87, 5:12

GOVERNMENT

Federal government, 1:4, 1:15,
1:21, 2:1, 2:97, 2:101, 2:109,
3:92, 4:3, 5:1, 5:5, 5:6, 5:8,
5:10, 5:11, 5:13 to 5:15,
5:17, 5:22, 5:23, 5:25, 5:26,
5:29, 5:33, 5:34, 6:1, 6:12,
6:23, 6:29, 6:41, 6:42, 6:45,
6:51
Sovereign immunity, 4:8, 5:13,
5:28, 5:33

GOVERNMENT ACTION

Settlement, 6:51

GOVERNMENT AGENCIES

Discovery, 5:15

GRANTS

Development, 1:40, 2:3

GUIDANCE

Criminal liability, 1:4, 2:1
Discovery, 1:33, 5:14, 5:28
Federal sentencing guidelines, 1:1,
1:27, 6:51
Justice Department, 1:1, 5:14,
5:28

HAWAII

Notice, **5:14**

HEALTH

Air, **2:65, 2:71**

Assessments, **1:12, 2:132, 4:2, 4:3, 4:9, 4:13, 4:14, 5:10**

HEARINGS

Congressional hearings, **6:12**

Enforcement, **5:32**

ILLINOIS

Notice, **5:14, 5:28**

INCENTIVES

Enforcement, **1:11, 1:18, 1:21, 2:61, 2:97, 4:9, 5:1, 6:13**

INDEPENDENT

CONTRACTORS

Enforcement, **3:68**

INDIAN TRIBES

Municipalities, **5:33**

INDIANA

Facilities, **6:12**

INFORMATION

Discovery, **4:8, 5:14, 5:15, 5:18, 5:23, 5:27, 5:28, 5:34, 6:8, 6:14**

Freedom of Information Act, **2:136, 3:87, 5:25, 5:34**

Insurers, **1:3, 1:22, 2:134, 4:9, 5:1, 5:6, 5:14, 6:31, 6:43, 6:49**

Policyholders, **2:134**

Requests, **1:9, 1:11, 2:60, 2:103, 2:128 to 2:130, 2:133, 3:33, 3:89, 4:2, 4:4, 4:8, 4:13, 5:10, 5:12, 5:25, 5:28, 6:14, 6:45, 6:50, 6:54**

Resources, **1:3, 1:11, 1:22, 1:34, 1:38, 1:41, 1:44, 1:47, 2:134, 3:87, 4:2, 4:4, 4:5, 4:13, 5:16, 5:27, 5:28, 5:34, 6:13 to 6:16, 6:48, 6:56**

INITIAL INVESTIGATION

Discovery, **5:28**

INSTRUCTIONS

Defenses, **4:14**

INSURANCE

Accident, **1:26**

Accidents, **1:26, 6:51**

Adjusters, **5:12**

Administrative proceedings, **4:14, 6:8**

Agents, **1:3, 2:71, 5:14, 5:16, 6:6, 6:8, 6:56**

Agreement, **1:1, 1:4, 2:10, 2:26, 2:42, 2:51, 2:120, 2:132, 2:134, 3:78, 4:6, 4:9, 5:12 to 5:14, 5:16, 5:26**

Audits, **1:1, 1:3, 1:4, 1:22, 4:11, 5:12 to 5:14, 5:26, 6:1, 6:8, 6:10**

Bankruptcy, **6:4**

Bodily injury, **5:3**

Brokers, **6:1**

Burden of proof, **1:4, 5:14**

Carriers, **1:1, 1:3, 1:22, 2:10, 4:11, 5:11, 5:13, 5:14, 6:5**

Case law, **1:22, 2:1**

Claims, **1:1, 1:3, 1:4, 1:9, 1:20 to 1:22, 1:30, 2:1, 2:20, 2:95, 2:99, 2:131, 2:134, 2:137, 4:9, 4:11, 4:14, 5:3, 5:11 to 5:16, 5:21, 5:26, 6:1, 6:4, 6:5, 6:8 to 6:10, 6:15, 6:43, 6:51**

Components, **2:132**

Conditions, **1:9, 1:21, 1:25, 2:12, 2:51, 2:134, 3:23, 3:57, 3:64, 3:78, 4:9, 4:11, 5:13 to 5:15**

Conflicts, **1:9, 1:22, 6:4**

Coverage, **1:21, 1:22, 2:12, 2:20, 2:40, 2:71, 2:95, 2:96, 2:99, 2:106, 2:124, 2:131 to 2:133, 4:9, 5:3, 5:13 to 5:15, 6:10**

Damages, **1:4, 5:12 to 5:14, 6:51**

Declaratory judgment, **5:13**

Defects, **5:12, 5:14**

Defense, **1:1, 1:3, 1:4, 5:11, 5:12, 5:14, 5:16, 6:5, 6:10, 6:43**

Defense costs, **5:16**

Defenses, **4:14**

Definitions, **1:25, 2:71, 4:9**

Delay, **2:106, 5:3, 5:12**

INDEX

INSURANCE—Cont'd

Disclosure, 1:1, 1:4, 1:9, 1:25, 3:93, 4:6, 4:9, 5:26, 6:1, 6:4, 6:9, 6:43, 6:51
Discovery, 5:14, 5:15, 6:8
Exclusions, 1:1, 1:3, 1:9, 4:6, 4:9, 4:11, 4:14, 6:51
Exposure, 6:51, 6:56
Federal government, 1:4, 1:21, 2:1, 5:11, 5:13 to 5:15, 5:26, 6:1, 6:51
Flood insurance program, 5:12
Grant, 2:42, 2:134, 4:9, 5:12
In-house counsel, 5:26
Indemnification, 5:26
Intent, 1:1, 1:4, 1:9, 2:1, 2:134, 2:137, 5:3, 5:12, 5:13, 6:51
Investigation, 1:1, 1:3, 1:4, 4:6, 4:11, 5:3, 5:13, 5:14, 5:16, 5:26, 6:1, 6:4 to 6:6, 6:8, 6:9, 6:15, 6:43, 6:51, 6:56
Judgments, 1:1, 1:4
Lenders, 5:14, 6:43
Manufacturers, 1:22, 2:26, 2:124, 2:131, 2:134, 4:9, 6:1, 6:51
Negligence, 5:12
Notice, 2:131, 2:134, 4:6, 4:9, 4:14, 5:12, 5:14
Omission, 5:13
Order, 1:25, 2:49, 2:95, 2:96, 2:106, 2:132, 2:134, 2:137, 4:9, 4:11, 5:13, 5:14, 6:10, 6:15, 6:43, 6:56
Parties, 1:3, 2:1, 2:99, 2:132, 4:9, 4:11, 5:14, 5:15, 6:8
Progress, 6:9, 6:43
Release agreement, 5:26
Safety, 1:22, 1:25, 2:20, 2:40, 2:71, 2:95, 2:131, 2:134, 4:11
State, 1:1, 1:3, 1:4, 1:9, 1:20, 1:21, 1:25, 1:26, 2:1, 2:10, 2:12, 2:20, 2:40, 2:42, 2:95, 2:134, 3:23, 3:93, 4:6, 4:9, 4:11, 4:14, 5:12 to 5:15, 5:21, 5:26, 6:1, 6:4, 6:8, 6:10, 6:15, 6:43, 6:51
State laws, 1:1
Subsidiary, 2:132, 2:133, 4:6, 5:12, 5:14

INSURANCE—Cont'd

Summary judgment, 5:12 to 5:15
Third parties, 2:132, 4:9, 5:14, 5:15
Waste, 1:4, 1:25, 5:21, 6:8 to 6:10, 6:15, 6:51

INTEGRITY

Corporate integrity agreement, 1:4, 1:15, 1:18, 1:42 to 1:46, 2:87, 3:90, 4:6, 5:10, 5:25

INTENT

Expert testimony, 4:8
Fear, 1:27
Insurance, 1:1, 1:4, 1:9, 2:1, 2:134, 2:137, 5:3, 5:12, 5:13, 6:51

INTERMEDIARIES

Defenses, 6:16

INTERVENTION

Courts, 5:27
Parties, 4:9
Right, 2:131, 5:28
Settlement, 4:9, 5:22, 5:27, 5:28
Standing, 3:1, 5:22

INTERVIEWS

Employee interviews, 5:23

INVENTORY

Reporting, 1:9

JOINT DEFENSE

Agreements, 6:48

JUDGES

Damages, 5:13, 6:51

JUDICIAL REVIEW

Enforcement, 4:15, 6:1
Introduction, 6:1
Jurisdiction, 4:8
Standard of review, 4:8

JURISDICTION

Circumstances, 1:4, 2:134, 4:14, 5:5, 5:22, 5:32, 6:52
Defenses, 4:14
Introduction, 1:4, 6:52
Judicial review, 4:8

JURISDICTION—Cont'd

Lost, 5:32
Parties, 4:8, 6:46
Personal, 5:23, 6:19
Standing, 5:22, 5:23, 5:31

JURY INSTRUCTIONS

Criminal prosecutions, 5:2

LABORATORIES

Standards for, 1:20

LEASES

Defenses, 2:136
Parties, 2:35, 2:132, 2:136, 3:37,
3:39, 3:59, 3:91
Real estate, 3:48

LIABILITY

Damages, 1:4, 2:136, 4:13, 5:1,
5:9, 5:10, 5:12 to 5:14, 5:18,
5:32, 5:33, 5:35, 5:36, 6:51
Enforcement, 1:4, 1:9, 1:13, 1:18,
1:21, 1:22, 1:27, 1:44, 2:121,
2:135, 3:87, 4:2, 4:4, 4:9,
4:17, 5:1, 5:10, 5:11, 5:13,
5:14, 5:17, 5:32, 6:4, 6:13
Exposure, 1:18, 1:27, 2:86, 3:87,
4:2, 5:17, 6:50, 6:51
Federal, 1:4, 1:9, 1:20 to 1:22,
1:25 to 1:27, 1:40, 1:44, 2:1,
2:22, 2:37, 2:76, 2:85, 2:105,
2:106, 2:114, 2:129, 2:131,
2:136, 4:2 to 4:4, 4:8, 4:9,
4:12 to 4:14, 5:1, 5:9 to
5:15, 5:17, 5:27, 5:32, 5:33,
5:35, 6:4, 6:13, 6:22, 6:50,
6:51
Financial responsibility, 4:4
Limitation, 1:9, 4:8, 5:13, 5:32
Parties, 2:1, 2:36, 2:37, 2:76,
2:103, 2:129, 2:130, 2:136,
4:8, 4:9, 5:14, 5:15
Payment, 1:4, 1:9, 1:20, 1:21,
1:25, 1:40, 2:22, 2:36, 2:37,
2:75, 2:76, 2:105, 2:106,
2:131, 2:136, 3:87, 4:2 to
4:4, 4:8, 4:9, 4:12 to 4:14,
5:1, 5:10, 5:12 to 5:15, 5:17,
5:18, 5:32, 5:35, 6:50
Settlement, 1:4, 1:18, 1:21, 1:40,
1:44, 2:40, 2:136, 3:87, 4:8,

LIABILITY—Cont'd

4:9, 4:17, 5:1, 5:14, 5:18,
5:27, 6:4, 6:51
States, 1:9, 1:20, 1:21, 1:25, 1:27,
1:40, 2:1, 2:114, 2:136, 3:87,
4:3, 4:12 to 4:14, 5:1, 5:10,
5:11, 5:13 to 5:16, 5:32,
5:33, 5:35, 5:36, 6:4, 6:13,
6:50, 6:51
Strict liability, 2:36, 2:135, 4:3

LIFE

Burden of proof, 5:14
Damages, 5:14, 6:51

LOST

Burden of proof, 5:14, 5:25
Expert testimony, 5:14

LOUISIANA

Notice, 5:14
Statutes, 5:13, 5:14

MAIL FRAUD

Criminal penalties, 4:1, 5:8

MANUALS

Administrative law, 1:11

MARKET VALUE

Damages, 2:136, 3:44, 3:91

MARYLAND

Controlled substances, 6:5
Disposal, 5:34, 6:5

MASSACHUSETTS

Notice, 5:14, 5:22
Statutes, 5:14

MATERIALITY

Expert testimony, 5:14

MEDIA

Defense, 5:25, 6:50
Discovery, 5:23

MEDICAL RECORDS

Discovery, 5:14, 5:15

MEDICINE

Settlement, 1:21, 2:134

MEMORANDUM

Discovery, 5:14, 5:28, 6:14

INDEX

MEMORANDUM—Cont'd

Summary judgment, **1:11, 3:92, 5:10, 5:14**

MICHIGAN

Amendments, **6:4, 6:12**

MIDDLE MANAGEMENT

Defense, **5:16**

MISSISSIPPI

Notice, **5:25**

MISSOURI

Definitions, **3:91**

Notice, **5:14**

Statutes, **5:14**

Water, **5:14**

MODIFICATION

Insurance, **2:10, 2:131**

Municipalities, **2:131**

Permits, **2:131**

MUNICIPALITIES

Costs, **2:131, 6:13**

Immunity, **5:33**

Indian tribes, **5:33**

Justice, **5:33**

Liability, **2:131, 5:33, 6:13**

Ownership, **2:131**

Permits, **2:131, 6:13**

Publication, **2:131**

Research, **2:131, 5:33**

Sovereign immunity, **5:33**

NATURAL RESOURCES

Defined, **5:33**

NECESSITY

Expert testimony, **5:14**

Of action, **5:13**

NEGLIGENCE

Elements, **5:4**

Insurance, **5:12**

Penalties, **4:12**

NEGOTIATIONS

California, **5:15**

Parties, **3:46, 4:8, 5:15**

Settlements, **5:28**

Timing, **6:51**

NEVADA

Form, **2:85, 2:114**

NEW

Defined, **1:1, 2:12, 2:71, 2:77, 2:82, 2:136, 3:3, 3:21, 3:25, 3:28, 3:32, 3:44, 3:46, 3:64, 3:72, 3:74, 4:3, 4:4, 4:9, 4:11, 4:15, 5:3, 5:8, 5:13, 5:17, 5:37**

NEW JERSEY

Causation, **5:13**

Cause of action, **5:13**

Evidence, **5:13, 5:14, 6:5, 6:51**

Jury trial, **5:14**

Notice, **5:14**

Remedies, **5:13**

Trial, **5:13, 5:14, 6:5, 6:51**

NEW YORK

Compensation, **2:118, 3:24, 3:28, 5:14, 5:25**

Notice, **5:14, 5:25**

Releases, **5:25**

Statutes, **2:82, 5:14, 6:1**

NORTH CAROLINA

Investigation, **5:37, 6:5**

Notice, **5:12**

Statutes, **5:12**

OBLIGATION

Damages, **5:10, 5:13, 5:28**

OKLAHOMA

Notice, **5:14**

OPINION

Expert testimony, **5:14, 5:30**

ORDERS

Administrative enforcement, **1:11**

Discovery, **5:27**

Insurance, **1:30, 2:132, 4:6, 4:9, 6:1**

Judicial review, **4:15, 6:1**

OXYGEN

Utilization, **2:131**

PARALEGALS

Defense, **6:45**

PARTICIPATION

Lenders, 5:14

PARTIES

Banks, 1:3

Co-defendants, 6:48

Corporations, 2:29

Cost, 1:28, 2:35 to 2:37, 2:39, 2:59, 2:60, 2:67 to 2:70, 2:72, 2:99, 2:129, 2:132, 3:36, 3:37, 3:44, 3:45, 3:54, 3:74, 3:77, 4:9, 4:11, 5:14, 5:15, 6:45, 6:48

Defendant, 2:76, 2:118, 3:91, 5:14, 5:15, 5:25, 6:36, 6:48

Defenses, 2:136

Definitions, 2:60, 2:67 to 2:70, 2:72, 3:36, 3:37, 3:51, 3:59, 3:74, 3:80, 3:91, 4:9

Discharge, 2:68, 2:99, 3:74, 4:11, 5:15

Documentation, 2:39, 2:59, 2:72, 3:79, 3:80, 3:83, 3:85, 3:91, 4:10, 5:14, 5:15, 6:36

Employment, 1:28, 3:36, 3:37, 3:41, 3:44, 3:59, 3:91, 4:11, 5:25, 6:45

Exceptions, 2:29, 2:39, 2:67, 3:11, 3:36 to 3:39, 3:44, 3:46, 3:54, 3:62, 3:68, 3:74, 3:79, 3:80

Freedom of Information Act, 2:136, 5:25

Health, 1:3, 1:28, 2:1, 2:29, 2:33, 2:35 to 2:37, 2:39, 2:47, 2:48, 2:58 to 2:61, 2:67 to 2:70, 2:72, 2:73, 2:76, 2:99, 2:103, 2:107, 2:118, 2:129, 2:130, 2:132, 2:136, 3:37, 3:38, 3:41, 3:42, 3:44, 3:62, 3:72, 3:74, 3:79, 3:85, 3:89, 3:91, 4:8, 4:9, 4:11, 5:14, 5:15, 5:25, 6:8, 6:25, 6:36, 6:45, 6:48

Immunity, 4:8

Individuals, 1:28, 2:59, 2:67, 2:132, 2:136, 3:41, 3:89, 4:9, 5:14, 5:15, 6:8

Insurance, 1:3, 2:1, 2:99, 2:132, 4:9, 4:11, 5:14, 5:15, 6:8

Intervention, 4:9

PARTIES—Cont'd

Jurisdiction, 4:8, 6:46

Leases, 2:35, 2:132, 2:136, 3:37, 3:39, 3:59, 3:91

Manufacturers, 1:28, 2:35, 2:60, 2:67, 4:9, 4:10

Orders, 2:103, 2:132, 4:9

Ownership, 2:29, 2:68 to 2:70, 2:132, 3:11, 3:37, 3:39, 3:51, 3:59, 3:89, 4:8, 4:10, 4:11, 5:14

Private parties, 1:3, 3:89

Sales, 2:35, 2:36, 2:39, 2:68, 2:118, 3:46, 5:14, 5:15

See also, 3:79

Settlement, 1:3, 2:136, 3:46, 3:85, 3:91, 4:8, 4:9, 5:14, 5:25

Strict liability, 2:36

Third parties, 2:112, 2:129, 2:132, 4:9, 4:10, 5:14, 5:15, 6:25

Trusts, 2:132

PAST

Damages, 6:51

PAYMENTS

Criminal penalties, 1:1, 1:16, 4:2, 4:3, 5:8

Damages, 1:4, 2:136, 3:44, 3:91, 5:10, 5:12 to 5:14, 5:18, 5:32, 5:35

PENNSYLVANIA

Causation, 5:13

Definitions, 6:52

Notice, 4:15, 5:12, 5:14, 5:25, 5:28

PER SE

Burden of proof, 5:14

PERFORMANCE

Defense, 1:4, 3:91, 5:32

PERSON

Definition, 2:20, 2:67, 2:68, 2:81, 3:10, 3:39, 3:59, 3:60, 3:72, 3:74, 4:2, 4:3, 4:9, 5:3, 5:10, 5:12, 5:25, 6:9

PETITIONS

Permits, 6:13

INDEX

PHYSICIAN

Causation, 3:91, 5:13

PLEADING

Causation, 5:13

Complaints, 5:15, 5:27

Defendant, 4:3, 5:13, 5:15, 5:27, 6:23

Injury, 4:3

Remedy, 5:13

POSSESSION

Insurance, 6:56

PRECLUSION

Conditions, 2:60, 3:71, 4:15

PREHEARING CONFERENCE

Motion for, 4:8

PRESS RELEASES

Defense, 5:25

PREVENTION

Costs, 2:12, 2:71, 2:134, 4:4

PRIORITY

Damages, 1:4

PRIVATE PARTIES

Settlement, 1:3

PRODUCT

Definition, 2:38, 3:87, 5:12

PROGRESS

Insurance, 6:9, 6:43

PROPOSALS

Defined, 4:11

PROTECTION

Children, 1:1, 2:132

PUBLIC DISCLOSURE

Legislation, 5:24

PUBLIC DOMAIN

Defined, 5:23

PUERTO RICO

Statutes, 6:13

Waste, 6:8

QUALITY OF LIFE

Burden of proof, 5:14

QUALITY STANDARDS

Goals, 5:1

RANGE

Statutes, 1:9, 1:11, 1:21, 2:135, 3:2, 4:7, 4:8, 4:11, 5:1, 5:14, 6:51

RATES

Quantity, 5:14

REFORM

Networks, 1:18

Regulation, 1:4, 4:3, 4:15, 5:10, 5:17

Water, 1:1

REIMBURSEMENT

Conditions, 1:21, 1:32, 1:35, 2:67, 2:73, 2:134, 3:1, 3:16, 3:23, 3:39, 3:72, 3:94, 4:9, 4:11, 5:13 to 5:15, 6:29

Failure to, 1:15, 1:16, 1:33, 1:47, 3:2, 3:91, 4:9, 5:12 to 5:15

Medicaid reimbursement, 1:30, 5:13

RELEASES

Claims, 5:25

Litigation, 5:25

RELEVANCE

Expert testimony, 5:14

REPRESENTATIVES

Defense, 6:50, 6:54

RESOURCES

Water, 1:1

RESPONSES

Answer, 1:9

Complaint, 4:11, 5:13

Conditions, 1:9, 4:11, 5:13

Exclusion, 4:11, 5:1

REVIEW

Appeals, 1:11, 1:25, 2:77, 3:91, 4:2, 4:4, 4:8, 4:11, 4:14, 5:13 to 5:15, 5:24, 5:35, 6:1, 6:34, 6:45

Federal enforcement, 1:1

Judicial review, 3:33, 3:91, 4:8, 4:15, 6:1

REVIEW—Cont'd

Water, 1:1, 5:14

RHODE ISLAND

Investigation, 5:25, 5:37

Notice, 5:25

Releases, 5:25

RISKS

Substantial risk, 1:21

Wells, 1:1

RULES

Administrative law, 1:11, 2:77, 3:2

Authority, 1:1, 1:4, 1:11, 1:27, 1:47, 2:77, 3:79, 3:89, 4:8, 4:14, 5:13 to 5:15, 5:28, 5:33, 5:34, 6:16, 6:20

Discovery, 4:8, 5:14, 5:15, 5:27, 5:28, 5:34, 6:8

Mean high water, extending jurisdiction, 1:27, 1:31, 2:58, 2:60, 2:83, 2:89, 3:23, 3:33, 3:60, 3:83, 3:84, 3:89, 3:91, 3:92, 4:12, 4:14, 5:14, 6:16, 6:20

SAFETY

Insurance, 1:22, 1:25, 2:20, 2:40, 2:71, 2:95, 2:131, 2:134, 4:11

Workers compensation, 2:131

SANCTIONS

Debarment, 4:2, 4:7

Double jeopardy, 4:3, 5:1, 5:16, 5:36

Expert testimony, 5:14

Sentencing, 4:3, 5:16, 6:1, 6:50 to 6:52

SCHEDULES

Permits, 3:61, 4:16

SCIENTER

Enforcement, 1:11, 5:13, 6:13

SECURITY

Discovery, 5:28, 6:14

SELF-INSURED

Liability, 4:9

SENTENCING

Federal enforcement, 1:1

Federal sentencing guidelines, 1:1, 1:27, 5:30, 6:51, 6:52

SETTLEMENTS

Ability to pay, 1:4, 6:4

Administrative, 1:1, 1:4, 1:12, 1:22, 2:1, 2:136, 3:2, 3:87, 4:3, 5:1, 5:14, 6:8

Agreements, 1:1, 1:4, 1:12, 1:15, 1:22, 2:3, 2:36, 2:136, 3:87, 3:90, 5:14, 6:4

Attorneys, 1:1, 1:4, 1:12, 1:22, 5:1, 5:28, 6:4, 6:8, 6:12

Bankruptcy, 6:4

Burden of proof, 1:4, 5:14

Clarity, 5:14

Client, 2:108, 3:87

Communications, 3:87, 5:1

Considerations, 1:4, 6:4

Consultants, 1:12, 1:22, 2:108, 5:1

Damages, 1:4, 2:136, 5:1, 5:14, 5:28

Defenses, 2:136

Dismissal, 5:14, 5:28

Enforcement, 1:1, 1:4, 1:12, 1:15, 1:18, 1:22, 3:2, 3:87, 5:1, 5:14, 6:4

Evidence, 4:3, 5:14, 5:28, 6:4, 6:8

Exclusions, 1:1, 4:3

Expert testimony, 5:14

Good faith, 2:36, 2:136

Government, 1:1, 1:4, 1:12, 1:15, 1:17, 1:18, 1:20, 1:22, 1:24, 2:1, 2:3, 2:108, 2:136, 3:2, 3:87, 3:90, 4:3, 5:1, 5:14, 5:28, 5:37, 6:4, 6:8, 6:12

Harm, 1:4

Judgment, 1:15, 2:3, 5:14, 5:28, 6:4

Jury trial, 5:14, 6:4

Liability, 1:4, 1:18, 1:20, 1:22, 2:1, 2:36, 2:136, 3:87, 4:3, 5:1, 5:14, 6:4

Medicine, 2:36

Motions, 2:3, 5:1, 5:14

Negotiations, 5:28

Order, 1:18, 2:36, 5:14, 5:28

INDEX

SETTLEMENTS—Cont'd

Parties, 2:1, 2:36, 2:136, 5:14, 6:8
Payment, 1:1, 1:4, 1:12, 1:15,
1:17, 1:20, 1:24, 2:3, 2:36,
2:136, 3:2, 3:87, 3:90, 4:3,
5:1, 5:14
Principles, 3:2, 5:14, 6:4
Procedures, 1:12, 1:15, 5:1, 5:14,
5:37, 6:4, 6:12
Reasonableness, 5:14
Statute of limitations, 2:136, 6:4
Summary judgment, 2:3, 5:14
Terminology, 2:136

SHIPMENT

Samples, 5:12

SIGNIFICANTLY

Defined, 1:1, 3:93, 5:17, 5:23

SOUTH CAROLINA

Notice, 1:15, 5:22, 5:25

SOVEREIGN IMMUNITY

Eleventh Amendment, 5:33
Municipalities, 5:33
States, 5:13, 5:28, 5:33

STANDARDS

Due process, 4:8, 5:16
Performance, 1:4, 1:20, 1:29,
2:54, 3:1, 3:61, 3:74, 3:77,
4:4, 5:13, 5:15, 5:30, 6:9

STANDING

Defense, 5:14
Intervention, 3:1, 5:22
Water, 5:14

STATE LAWS

Alabama, 1:1
Audits, 1:1
California, 5:37
Connecticut, 5:37
Contractors, 1:1
Defenses, 6:54
Design, 1:1
Disclosure, 1:1, 6:29
Evidence, 6:29
Federal courts, 6:29
Federal law, 1:47, 5:37, 6:29
Florida, 1:1, 5:37

STATE LAWS—Cont'd

Illinois, 5:37
Indiana, 5:37
Insurance, 1:1
Massachusetts, 5:37
Minnesota, 5:37
Montana, 5:37
New Jersey, 5:37
Ohio, 1:1
Tennessee, 1:1, 5:37
Texas, 1:1, 5:37
West Virginia, 1:1

STAY

Administrative law, 1:11, 4:2

STIPULATIONS

Discovery, 4:8

STRICT LIABILITY

Parties, 2:36

SUBSTANTIAL EVIDENCE

Judicial review, 4:8

SUBSTANTIAL RISK

Information, 1:21, 2:60, 5:12

SUMMARY JUDGMENT

Briefs, 4:8, 5:14
Claim, 1:11, 2:85, 3:91, 4:8, 5:10,
5:12 to 5:15, 5:24
Defendants, 2:3, 2:85, 2:87, 3:91,
3:92, 5:10, 5:12 to 5:15
Dismiss, 1:11, 3:92, 5:10, 5:12 to
5:15, 5:24
Insurance, 5:12 to 5:15

SUPPLIERS

Participants, 2:61

SUPREME COURT

Water, 5:14

SURVEYS

Conditions, 1:21, 2:134, 3:36, 4:4,
4:9
Exceptions, 3:36

SUSPENSION

Contractors, 4:7, 4:15, 5:14, 5:32

TECHNOLOGY

Enforcement, 1:1, 1:23, 4:2, 4:9,
5:14, 6:10, 6:15

TEMPERATURE

Causation, 5:13

TENNESSEE

Confirmation, 5:13
Defense, 1:1, 6:5
Investigation, 1:1, 5:13, 5:37, 6:5

TESTIMONY

Lost, 5:14, 6:25

TEXAS

Bankruptcy, 5:25
Causation, 5:13
Corrective action, 5:14
Federal courts, 5:25
Judicial review, 6:1
Legislation, 1:1, 1:19, 6:12
Releases, 5:25
Water, 1:1, 5:14

TRADE SECRETS

Submissions, 2:136

TRANSFERS

Reform, 4:4

TREATMENT

Appeals, 1:4, 2:84, 4:2, 4:11, 5:8,
5:13, 5:14, 6:1, 6:29, 6:43
Closure, 5:14
Definition, 2:63, 2:71, 2:134, 3:1,
3:8, 3:20, 3:21, 3:37, 3:89,
4:2, 4:3, 4:9, 5:3
Identification number, 3:1
Inspection, 4:9
Judicial review, 6:1
Lists, 4:2
Security, 1:4, 2:12, 2:63, 2:106,
2:134, 3:1, 3:86, 4:3, 4:11,
4:12, 5:8, 5:13, 6:29
Standards, 1:4, 2:54, 3:1, 3:20,
3:21, 3:32, 3:37, 5:3, 5:13,
5:14, 6:29

TRIAL

Expert testimony, 5:14

TRIAL—Cont'd

Forms, 1:13, 1:15, 5:12, 5:15,
6:19, 6:36, 6:45, 6:51
Judge, 2:87, 3:91, 6:43, 6:51
Lost, 5:14, 5:15, 6:51
New Jersey, 5:13, 5:14, 6:5, 6:51
Plan, 2:131, 2:134, 5:12 to 5:15,
6:4, 6:45
States, 2:6, 2:79, 2:84, 2:87,
2:134, 3:91, 4:3, 5:1, 5:4,
5:13 to 5:16, 6:4 to 6:6,
6:34, 6:36, 6:40, 6:43, 6:45,
6:46, 6:51
Summary judgment, 2:87, 3:91,
5:12 to 5:15
Witnesses, 5:13, 5:27

TRIER OF FACT

Conditions, 5:14

UNITED STATES

Waters of, 2:87

UTAH

Notice, 5:14
Statutes, 5:14

VERMONT

Statutes, 5:33

VIRGINIA

Statutes, 1:1, 5:14
Water, 1:1, 5:14

VISIBILITY

Protection, 1:1

VOLUME

Contributions, 2:73

WARRANTS

Search warrants, 1:3, 5:24, 6:6,
6:7, 6:22, 6:25, 6:35 to 6:39,
6:56

WASHINGTON

Notice, 1:44

WEST VIRGINIA

Reports, 5:14
Testing, 5:14

WITNESSES

Defense, 6:50

INDEX

WITNESSES—Cont'd

Enforcement, **5:13**

WORK-PRODUCT PRIVILEGE

Attorney-client privilege, **6:40**

YATES MEMO

Criminal liability, **1:4**