

## CURRICULUM VITAE

**Neil A.F. Popović**

### Professional Experience

- 2008-present: SHEPPARD, MULLIN, RICHTER & HAMPTON LLP, San Francisco: Partner. Joined firm after Heller Ehrman dissolved (see below). Chair, International Arbitration Practice. Practice also includes international litigation, consumer class action defense, white collar criminal defense, climate change, corporate responsibility, international environmental law. Pro Bono Committee. See <http://www.sheppardmullin.com/npopovic> for representative clients. Notable successes include *Cho v. Seagate Technology Holdings, Inc.*, 177 Cal. App. 4th 734 (2009); *Hill v. Roll International Corp.*, 195 Cal. App. 4th 1295 (2011); *Sullivan v. Florida*, 560 U.S. \_\_\_ (2010) (*amicus curiae*); *Miller v. Alabama*, 567 U.S. \_\_\_ (2012) (*amicus curiae*).
- 1996-present: BERKELEY LAW, UNIVERSITY OF CALIFORNIA (BOALT HALL): Lecturer, International Litigation and Arbitration; International Environmental Law. Both courses taught as sole instructor and co-taught with Prof. David D. Caron.
- 1996-2008: HELLER EHRMAN LLP, San Francisco: Shareholder, 2001-2008; associate, 1996-2000. Practice included complex commercial litigation, international disputes, white collar criminal defense, international environmental law. Chair, San Francisco Pro Bono program; member, firmwide Community Service Committee; co-leader, Complex Commercial Litigation Group in San Francisco (including staffing and associate evaluations). Clients included: Seagate Technology, Republic of Congo, Republic of Argentina, Concern SVT (Russia), McDonald's Corporation, IMPAX Laboratories, Julia Butterfly Hill, GRID Alternatives. Notable successes included *Af-Cap v. Chevron Overseas (Congo) Ltd.*, 475 F.3d 1080 (9th Cir. 2007), on behalf of the Congo (Brazzaville); and *Colella v. Republic of Argentina*, 2007 WL 1545204 (N.D. Cal., May 29, 2007), on behalf of Argentina.
- 1992-1996: SIERRA CLUB LEGAL DEFENSE FUND (now called Earthjustice), San Francisco: Attorney, International Program. Focused on international environmental law, representing environmental organizations in court, at the United Nations and in regional human rights forums. Co-drafter and *rapporteur*, 1994 UN Declaration of Principles on Human Rights and the Environment.
- 1992-1996: VAN BOURG, WEINBERG, ROGER & ROSENFELD, Oakland: Of Counsel. Concurrent with employment at Sierra Club Legal Defense Fund, worked part-time on labor law matters in trial and appellate courts.

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- 1988-1991: FRIEDMAN, SLOAN & ROSS, San Francisco: Associate. Complex civil and criminal litigation in state and federal courts at trial and appellate levels; also some family law. Continued to work with firm on contract basis while attending Fletcher School of Law and Diplomacy (1991-1992) and while employed at Sierra Club Legal Defense Fund (1992-1996).
- 1987-88: HONORABLE ALICEMARIE H. STOTLER, United States District Court, Central District of California: Law Clerk. One-year appointed clerkship with federal trial court judge.

## **Education**

ACADEMY OF EUROPEAN LAW, European University Institute, Fiesole, Italy  
Sixth Annual Summer Session, 1995

THE FLETCHER SCHOOL OF LAW AND DIPLOMACY, Tufts University: M.A., International Relations, 1992  
Ford Foundation Fellow in Public International Law

UNIVERSITY OF CALIFORNIA, BERKELEY, SCHOOL OF LAW (BOALT HALL): J.D., 1987  
Note & Comment Editor, *California Law Review*  
Extern, Honorable Joseph R. Grodin, Supreme Court of California (1986)  
Instructor, Street Law Project  
Research Assistant, Professor Rachel Moran

GEORGETOWN UNIVERSITY LAW CENTER  
Enrolled in J.D. program, 1984-1985 (subsequently transferred to Boalt Hall)  
Dean's List (top 5% of class)  
Editor in Chief, *Georgetown Law Weekly*  
Invited to join *Georgetown Law Journal* (based on grades)

UNIVERSITY OF CALIFORNIA, BERKELEY: A.B., Political Science, 1983  
Four-year varsity letter winner in gymnastics  
Bogie Bogart Scholar-Athlete Award

## **Board Memberships**

EarthRights International, Board of Directors (Co-Chair)  
Center for Youth Development through Law, Board of Directors  
Center for Law Energy and the Environment, Advisory Board  
International Watershed Partners, Advisory Board

## **Organizational Memberships**

State Bar of California (International Section)  
United States Supreme Court Bar  
Bar Association of San Francisco  
American Society of International Law  
Northern California International Arbitration Club

## Honors

AV® Preeminent™ 5.0 out of 5, martindale.com  
Northern California Super Lawyers, 2012 (International Law)  
Leading Environmental Practices Lawyer, *The Recorder*, 2012  
Top 10 Pro Bono Efforts of 2012, *The Recorder*, 2012

## Personal

Married (to Susan Popović) since 1987; three children  
Born October 2, 1960, in Berkeley, CA; citizen of USA

## Publications

*Environmental Litigation Against Corporations: Where Now?*, in Business and Human Rights (ABA forthcoming 2013)

*Data Loss Issues*, in Cloud Computing Deskbook (Jonathan S. Aronie, ed.) (Thompson Reuters forthcoming 2013)

*Proposition 37 Permits “Natural” Labeling for Non-GMO Processed Food* (with Peter S. Hecker & Robert J. Uram) (Sheppard Mullin, Oct. 8, 2012)

*Hotspots and Trends in International Discovery*, in Inside the Minds: Complying with International Discovery Regulations (Aspore 2012)

*The Chevron Ecuador Saga Continues as Second Circuit Overturns Anti-Enforcement Injunction*, Latin American Blog (Sheppard Mullin, Mar. 12, 2012) (with Rachel Tarko Hudson), <http://www.latinolawblog.com/2012/03/articles/crossborder-insolvency/the-chevron-ecuador-saga-continues-as-second-circuit-overturns-antienforcement-injunction/>

*Court of Appeal Reminds Litigants That Settling With Named Plaintiff Does Not Necessarily End Putative Class Action*, Class Action Defense Strategy Blog (Sheppard Mullin, Jan. 3, 2012) (with Lai Lam Yip), <http://www.classactiondefensestrategy.com/2012/01/articles/settlements/court-of-appeal-reminds-litigants-that-settling-with-named-plaintiff-does-not-necessarily-end-putative-class-action/>

*In Pursuit of Environmental Human Rights: Commentary on the Draft Declaration of Principles on Human Rights and the Environment*, in Dinah L. Shelton, ed., *Human Rights and the Environment* (Edward Elgar 2011), reprinted from 27 Columbia Human Rights Law Review 487 (1996)

*Sometimes the System Works*, Daily Journal, Jan. 25, 2011, at 1.

*US Courts Order Discovery for Use Overseas in Chevron-Ecuador Disputes*, <http://bjil.typepad.com/publicist/2011/03/publicist07-popovic-hudson.html>, reprinted in Law 360 as *In Context: The Chevron-Ecuador Litigation* (Dec. 17, 2010) (with Rachel Tarko Hudson)

*Ninth Circuit Makes CAFA Jurisdiction Stick*, Class Action Defense Strategy Blog (Sheppard Mullin, Apr. 2010), <http://www.classactiondefensestrategy.com/2010/04/articles/-federal-class-action/ninth-circuit-makes-cafa-jurisdiction-stick/>

*Don't Cry (Too Much) For Us*, Transcript (University of California, Berkeley, School of Law, Spring-Summer 2009)

*Foreign Matters: How to obtain recognition of foreign-court judgments*, The Recorder, Litigation Supplement 6 (Summer 2009)

*How a U.S. Climate Change Bill Could Lead to Trouble at the WTO*, Real Estate and Construction Law Blog/Global Climate Change blog (Sheppard Mullin, Mar. 2009), <http://www.realestateandconstructionlawblog.com/cat-global-climate-change.html>

*"Do you recognize this?" Domestication of Foreign-Country Money Judgments in California*, 2 Berkeley Journal of International Law Publicist (2009), <http://bjil.typepad.com/publicist/2009/09/popovicpublicistv2.html>

*Recovery Tactics Outlined for Foreign Takeover Losses*, Oil and Gas Journal, June 25, 2007, at 20 (with Alex Lathrop)

*BIT Implications of Recent Government Activities in Bolivia and Venezuela*, Heller Ehrman Bulletin (September 2006)

*Some Thoughts on KOREA SUPPLY—Monetary Remedies Under Section 17200*, Heller Ehrman Bulletin (April 15, 2003)

*Some Thoughts on Kraus and Cortez*, Heller Ehrman Bulletin (Summer 2000)

*Women and the Environment*, in Kelly Askin & Dorean Koenig, eds., *Women and International Human Rights Law* (Transnational Publishers 1999)

*Environmental Injustice on United States Bases in Panama: International Law and the Right to Land Free from Contamination and Explosives*, 38 Virginia Journal of International Law 401 (1998) (with J. Martin Wagner)

*The Myth of Objectivity*, in *Human Rights, Environmental Law, and the Earth Charter* (Boston Research Center for the 21st Century 1998)

*CCRI's Hidden Conflict: Prop. 209 Would Violate Human Rights Treaties Recently Ratified by the U.S. Senate*, The Recorder, Oct. 9, 1996, at 4

*Environmental Racism in the United States and the Convention on the Elimination of Racial Discrimination*, 14 Netherlands Quarterly of Human Rights 277 (1996)

*Pursuing Environmental Justice With International Human Rights and State Constitutions*, 15 Stanford Environmental Law Journal 338 (1996)

*U.N. Special Rapporteur on Toxic Dumping*, 8:1 *International Toxics Investigator* 9 (1966)

*Humanitarian Law, Protection of the Environment and Human Rights*, 8 *Georgetown International Environmental Law Review* 67 (1995)

*The Game of the Name*, *Ms. Magazine*, November-December 1994, at 96

*Lawmaking in the United Nations: The UN Study on Human Rights and Environment*, 3 *Review of European Community and International Environmental Law* 197 (1994) (with Adriana Fabra Aguilar)

*Sex, Violence & Rock 'n' Roll: The First Amendment at the Close of the Millennium* (St. Hieronymus Press 1994) (with David Lance Goines)

*Using Environmental Law for Effective Environmental Management—Hungary* (Sierra Club Legal Defense Fund/Environmental Management and Law Association 1994) (editor)

*The Right to Participate in Decisions that Affect the Environment*, 10 *Pace Environmental Law Review* 683 (1993)

Comment, *A Human Rights Approach to the Labor Rights of Undocumented Workers*, 74 *California Law Review* 1715 (1986) (published under pre-marriage name Neil A. Friedman)