



RALPH E. CASCARILLA

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SERVICES



Ralph E. Cascarilla



Litigation - Environmental
Cleveland, Ohio



RALPH E.
CASCARILLA



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RALPH E. CASCARILLA
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Antitrust Regulation
Appellate Proceedings
Commercial Litigation
Environmental Regulation & Waste Management
Environmental Regulation Enforcement Actions
False Claims & Qui Tam Actions
Federal, State, & Local Tax Disputes
Internal Corporate Investigations
Litigation
Professional Liability & Discipline
Real Estate & Construction Litigation
White-Collar Criminal Defense

EDUCATION

T.M. Cooley School of Law, J.D.
University of Notre Dame, B.A.

LICENSED TO PRACTICE

Ohio
Florida
U.S. Supreme Court
U.S. Court of Appeals for the 3rd, 6th, 7th, and 11th Circuits
U.S. District Court, Northern and Southern Districts of Ohio
U.S. District Court, Central and Southern Districts of Illinois
U.S. District Court, District of New Jersey
U.S. District Court, Western District of New York
U.S. District Court, Eastern District of Wisconsin

RECOGNITION

AV® Rated by Martindale-Hubbell for more than 28 years

Recognized by Best Lawyers©, 2006-24 Named "Lawyer of the Year" (Cleveland) for litigation by Best Lawyers®, 2020, 2018, 2016 Selected for inclusion to Ohio Super Lawyers list, 2004-24 Named a Top 100 Ohio attorney and Top 50 Cleveland-Area attorney by Ohio Super Lawyers, 2018-19 Recognized by Chambers USA, 2005-present Lifetime Achievement Membership, America's Top 100 Attorneys® Senior Fellow, Litigation Counsel of America, The Trial Lawyer Honorary Society

OVERVIEW

Sources say Ralph is "*very tactical, a very keen thinker and well-versed in the law.*"

A former chief of the White-Collar Crime section of the Office of the United States Attorney for the Northern District of Ohio, Ralph represents individuals and businesses in a wide range of governmental white-collar criminal investigations, including environmental, health care, securities fraud, antitrust, tax, Foreign Corrupt Practices Act (FCPA), federal elections and government procurement matters. In addition, a major portion of his practice involves complex commercial disputes, environmental litigation matters and defense of professional negligence claims. Ralph, a former Managing Partner of Walter Haverfield, also has extensive experience in construction and real estate disputes.

EXPERIENCE

COMMERCIAL LITIGATION

- Defending and prosecuting matters involving claims of unfair competition, majority/minority shareholder disputes, improper use and disclosure of trade secret information, covenants-not-to compete and tortious interference with business relationships, including claims asserted under civil (federal and state) Racketeer Influenced and Corrupt Organization Act (RICO) statutes
- Trying the first criminal case in the U.S. based on claimed violations of the federal Economic Espionage Act
- Representing borrowers and lending institutions in loan participation agreement disputes
- Representing various property owners in eminent domain proceedings initiated by governmental entities

CONSTRUCTION LITIGATION

- Litigating real estate, mechanics' liens, title, zoning and construction contract disputes relating to major office building projects, sewer construction, abandoned industrial facilities, and residential properties

ENVIRONMENTAL REGULATION AND LITIGATION

- Negotiating U.S. Environmental Protection Agency (U.S. EPA) project agreement and related private party and governmental agreements to implement the Ashtabula and Ottawa River and Harbor Dredging projects under the Great Lakes Legacy Act of 2002, including supplemental funding under the Water Resources Development Act with the U.S. Army Corps of Engineers
- Serving as common counsel for several defense groups in large, multi-party cost recovery actions and negotiating favorable settlements and site-specific apportionment of response costs among a majority of the parties—including related natural resource damage settlements
- Representing hazardous waste transporter in defense of claimed violations of federal and state regulations

- Representing industrial clients as well as a defense group comprised of potentially responsible parties in a government-initiated cost-recovery action under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)
- Obtained favorable arbitration results for a Fortune 500 company utilizing a detailed and technical evaluation of the site and the client's activities in relation to the clean-up work ordered by U.S. EPA
- Litigating a state of Ohio enforcement action involving allegations of an illegal treatment, storage and disposal facility resulting from the improper use of a floor drain and solid waste disposal facility
- Representing developers in defense of claims by federal and state agencies related to claimed violation of the Clean Water Act for filling of wetlands

PROFESSIONAL LIABILITY & DISCIPLINE

- Defending accountants and attorneys against professional malpractice claims in federal and state court
- Representing lawyers and law firms in disputes arising from separation of practices and termination of employment, including dissolution of a law firm under bankruptcy court supervision

WHITE-COLLAR CRIMINAL DEFENSE

- Preparing an aggressive pre-trial motion that resulted in the voluntary dismissal by prosecutors of wide-ranging state RICO charges against a local businessman
- Persuading federal prosecutors not to bring criminal charges against a developer under the Clean Water Act for filling wetlands
- Defending the first-ever case tried under the Economic Espionage Act of 1996, resulting in 19 of 21 counts either being dismissed or resulting in acquittal. After two rounds of appeals and three different sentencing hearings, our client was sentenced to only a year of probation and a \$5,000 fine
- Representing one of the county's largest government contractors in a grand jury investigation that ultimately led to the indictment and conviction of numerous individuals, but prosecutors did not indict our client
- Representing chief financial officer and general counsel of publicly traded companies in FCPA investigations
- Defending criminal and civil antitrust enforcement actions brought by the U.S. Department of Justice and the Ohio Attorney General's Office involving allegations of bid rigging, territorial allocation and antitrust conspiracy in the dairy, scrap metal, road construction and industrial equipment industries
- Representing companies and individuals in white-collar criminal matters of bankruptcy and health care fraud, Davis-Bacon Act compliance, procurement fraud, antitrust and securities enforcement, IRS tax matters, and Employee Retirement Income Security Act (ERISA) benefit matters
- Defending companies and individuals in matters involving securities fraud, political corruption, nursing home operations and state gaming laws

PRESENTATIONS

Ralph is a respected and sought-after speaker. Recent engagements include:

- Presentation to the Ohio State Bar Association Environmental Law Section on dredging projects utilizing Great Lakes Legacy Act funding
- "Negotiations 101: Plea Agreements, Sentencing, Attorney-Client Privilege, Pre-Trial Diversion (1.0)," panel discussion in seminar on "White Collar Crime: Latest Trends and Best Practices," sponsored by the CMBA and Federal Bar Association, Northern District of Ohio Chapter

ASSOCIATIONS

- Fellow, Cleveland Metropolitan Bar Association
- Member, American Bar Association
- Member, Ohio State Bar Association
- Master Benchler, The Judge John M. Manos Inn of Court
- Life Member, Conference of the Eighth Judicial District of Ohio
- Member, Judicial Advisory Committee to the U.S. District Court (Northern District of Ohio)
- Member of Panel of Mediators for Commercial Disputes – Cuyahoga County, Ohio Common Pleas Court
- Member, Trial Law Institute
- Member, Diversity Law Institute
- Barrister, Order of Veritas