



T. McRoy Shelley III

Shareholder, Department Head

Roy Shelley is the Head of the Litigation Department and handles litigation involving construction, products liability (most frequently defending claims related to construction materials), commercial claims, trucking accidents, personal injury, property and casualty, environmental damage, insurance coverage, and criminal law.

Roy leads the Environmental Litigation Team, which handles toxic tort and contamination claims, as well as the defense of enforcement actions by governmental agencies such as DHEC, DEQ, and the EPA. Roy is also co-leader of the Construction and Products Liability team, which is designed to handle the complete range of construction and products liability claims, including complex, mass tort claims throughout the United States.

Prior to joining Rogers Townsend & Thomas, Roy was an attorney with the Richland County Public Defenders Office. He was a law student intern at the South Carolina Court of Appeals, where he worked for the Honorable Randall T. Bell. Prior to law school, he worked in the oil and gas industry in Houston.

Roy served as an Adjunct Instructor at the University of South Carolina from 1999 to 2013 and has served as District Coordinator for the South Carolina Bar High School Mock Trial competition since 1996.

Office: 803.744.1818

Offices

Columbia, SC

Areas of Concentration

Construction

Construction Defect Litigation

Insurance Defense

Litigation

Mass Tort

Product Liability and Toxic Tort

Products Liability Defense

Environmental Issues

Environmental Litigation Defense

Admissions

South Carolina Bar, 1994

Texas Bar, 2004

United States District Court, District of South Carolina, 1996

United States Court of Appeals, Fourth Circuit, 2003

P.H.V. Admissions in Florida, Mississippi, Oklahoma, North Carolina

In 2012, Roy was selected as a member of the editorial board of the Environmental Claims Journal (ECJ). As an editorial board member, Shelley's contribution to the journal will include writing articles on a wide array of environmental topics, reviewing and editing article submissions, and providing insights on environmental policy, litigation, and insurance issues.

In 2013, Roy was appointed Vice Chair for the Energy and Natural Resource Litigation Committee for the American Bar Association. He was also appointed Vice Chair of the Superfund and Natural Resource Damages Litigation Subcommittee for the ABA Section on Energy, Environment & Resources (ABA-SEER).

Education

- University of South Carolina, J.D., 1994
- Rice University, B.A., 1989

Memberships

- South Carolina Bar
- Richland County Bar Association
- Defense Research Institute
- South Carolina Defense Trial Attorneys' Association
- National Association of Criminal Defense Lawyers

Publications, Speeches & Seminars

- Carolinas Construction & Environmental Claims Seminar, March 2013, March 2014, March 2015
Organizer and Speaker
- Forum for Environmental and Toxic Tort Issues, October 2014
"Oh Yeah, Prove It." Isotope Analysis to Prove the Relationship and Origin of Contaminants (with Adam Love, Ph.D.)
- Environmental & Emerging Claim Manager Association (EECMA)
- May 2013
"Environmental Litigation – Tactics & Strategies to Save Time, Money & Sanity"
- Carolinas Construction & Environmental Claims Seminar, March 2013, March 2014
Organizer, Moderator and Speaker

Videos from the program

Liability Fault Allocation

Exposure Modeling

Coverage Issues

Coverage Allocation

Pollution Exclusion

• **Is Litigation Killing Us or Are We Killing Litigation?**

Defense Research Institute (DRI), October 2012

• **Lassoing Liability: How to Succeed at Brownfields Redevelopment**

American Bar Association Section of Environment, Energy and Resources-
Austin, Texas, October 2012

• **Protecting Secured Creditors from Liability for Adverse**

Environmental Conditions

Environmental Claims Journal, *April 2012*

• ***“When the Walls Come Tumbling Down”*** (The Impact of Coal Ash
Regulation and Emerging Litigation)

ABA, Section of Environment, Energy, and Resources Law Summit,
October 2011

• Coal Ash Regulation & Litigation, NAEP National Convention, April 2011

• Environmental Issues in Foreclosures, NBI, Jan 2011

• Truck Accident Litigation from Start to Finish, Nov. 2009

• Construction Products Liability – Coverage and Claims, Oct. 2007

• Testing Protocols for Mold Claims, Claims magazine May, 2005

• Solving Mold Contamination and Water Intrusion Claims,, Claims
magazine, Oct. 2004

• A Scent of Mold, Construction Executive magazine July, 2004

• Fundamentals of Construction Law, Feb 2004

• S.C. Residential Construction Law, Jan. 2004

• Water Intrusion and Mold Claims, Sept. 2003

• Construction Claims, Litigation Basics, Aug. 2003

• South Carolina Workers’ Compensation Practice, Aug. 2003

• Insurance Law in South Carolina, Commercial General Liability Insurance,
Nov. 2002

Blogs

- [South Carolina Environmental Law Blog](#)

Non-published Cases

Representative Matters

- Defense and prosecution of multiple property damage (soil and groundwater) contamination claims involving heavy metals, pesticides, nitrates, petroleum products and additives, and other hazardous substances, including:
 - The defense of a CERCLA claim involving lead and arsenic contamination, with response and remediation costs of \$10-15Million.
 - The defense of a contamination and toxic tort claim from windborne coal ash and the leaching of heavy metals into groundwater, with almost 400 claimants and claimed damages of over \$3Billion.
- Defense of numerous toxic tort claims, including a recent multi-plaintiff toxic tort claim in federal court involving alleged inhalation injuries and claimed damages exceeding \$45Million.
- Assist construction companies with issues related to storm water runoff, property damage, personal injury, and contamination claims, including advice and representation in regulatory enforcement actions.
- Assist governmental entities and private landowners matters related to sewage, public water supplies, landfills, storm water runoff, and other environmental issues, including litigation and regulatory enforcement actions.
- Assist multiple clients with issues related to underground storage tanks, including multiple actions related to petrochemical releases and potential releases.
- Assist multiple clients with other environmental litigation and regulatory actions involving hazardous materials, asbestos, mold, air and water contamination, improper fill/settling, and solid waste enforcement actions, including:
 - Assisting local airport with environmental issues related to runway construction, including surface water contamination and property damage claims.

- Assisting with response and remediation to a major fire in a manufacturing facility, involving cyanide runoff, the removal of large volumes of hazardous materials, and demolition which involved asbestos and other hazards.
- Assisting a municipality in responding to radon contamination in city buildings.
- Assisting a municipality in responding to regulatory action based on elevated radium levels in public water supplies.
- Provide analysis and consultation for insurance coverage issues related to accident, construction, and environmental claims, including the representation of a carrier regarding the scope of coverage for a groundwater contamination suit alleging over \$450Million in damages.
- Defense of trucking companies in accident claims, including death, serious injury, and property damage claims, as well as response and remediation to spills and releases of hazardous materials.
- Representation of clients in numerous construction claims, including residential and commercial projects and multi-phase projects related to
 - Contractual claims,
 - Construction defect claims, and
 - Product liability claims, including over 400 cases alleging defective cladding.
- Representation of clients in catastrophic injury claims, including the defense of a furniture manufacturer in claim involving the death of nine firefighters.
- Representation of clients in complex commercial litigation, including contractual claims, fraud claims, and other business torts, many of which involved thousands of documents, numerous witnesses, and complex electronic discovery issues.
- Over 40 cases tried to a verdict in multiple states.