



Eric Barton has practiced law for almost 30 years, representing clients in a wide variety of matters including complex commercial litigation, class actions, and multi-district litigation. Many of his cases have involved antitrust, contract issues, or defective products. He has significant experience representing public entities in litigation, including state governments, counties, cities, and school districts.

Eric has also taught classes for many years at the University of Kansas School of Law, including first-year lawyering classes and trial advocacy. Additionally, he co-founded the Lawyer's Association of Kansas City's annual Run for Justice 5K, which has raised money for Legal Aid of Western Missouri since 2005. He currently serves on the board of the Midwest Music Foundation, a non-profit organization providing healthcare and educational assistance to Kansas City area musicians.

### Notable Litigation

#### **Whitton v. Deffenbaugh Disposal, Inc., No. 2:12-cv-2247 (D. Kan.)**

Wagstaff & Cartmell attorney, Eric Barton, served as Co-Lead Class Counsel, obtaining a court-approved \$7.6 million settlement for a class of commercial customers alleging breach of contracts for waste-hauling services.

#### **Kreisler Drug Co. v. Missouri CVS Pharmacy, LLC v. Summers Pharmacy, No. 4:14-1050 (W.D. Mo.)**

Eric Barton obtained summary judgment for the defendant client, a family-owned, independent pharmacy, on claims of tortious interference and misappropriation of trade secrets by a national chain pharmacy.

#### **Prado v. Jackson County, Missouri, No. 4:17-cv-506 (W.D. Mo.)**

Eric Barton successfully opposed a motion for class certification for Jackson County, Missouri. The case was seeking certification of a class of detainees from the Jackson County Detention Center who were seeking damages on civil rights claims alleging poor conditions inside the facility.

#### **In Re: National Prescription Opiate Litigation, MDL 2804 (N.D. Ohio)**

The Wagstaff & Cartmell team is involved in this prescription opiate litigation MDL. Ty Hudson worked with a team of lawyers to help prosecute the case against prescription drug distributors in the initial MDL bellwether cases, which resulted in settlements totaling more than \$260 million. The next phase of the litigation is on-going. Eric D. Barton is representing dozens of county and city governments in Kansas, Missouri, Virginia, Florida, and Mississippi in lawsuits against manufacturers and distributors of opioid pain medications seeking recoveries of damages arising from the nationwide opioid addiction crisis.

#### **Bang v. BMW of North America, No. 2:15-cv-6945 (D.N.J.)**

Wagstaff & Cartmell attorney, Eric Barton, served as Co-Lead Class Counsel in an excessive oil and battery consumption class action. He helped obtain final court approval of a settlement awarding financial and extended service benefits to a class of over 80,000 owners and lessees of BMW vehicles with an N63 engine.

#### **In Re: Polyurethane Foam Antitrust Litigation, MDL 2196 (N.D. Ohio)**

Eric Barton served as Class Counsel for the indirect purchaser settlement class in an antitrust price fixing case arising from sales of polyurethane foam. He helped obtain settlements collectively valued at over \$151 million.

## ERIC D. BARTON

Partner

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### In Brief

- **Partner of Wagstaff + Cartmell LLP**
- **Co-Lead Class Counsel in multiple, successful commercial and consumer class actions.**
- **Works closely with numerous state attorneys general, cities, counties, and school districts in national litigation involving defective products affecting public health.**
- **Former law clerk for judge and justice on Tenth Circuit Court of Appeals and Kansas Supreme Court, respectively.**



### Practice Areas

Eric handles cases in class actions and commercial litigation. Eric has represented developers, franchisees, investors, large companies, small businesses and entrepreneurs in a wide range of litigation.

His primary areas of practice include:

- Recovered more than \$800 million in class action litigation
- Obtained dismissals in eight and nine figure disputes
- Appointed to leadership positions in major class action suits

### Prior Work Experience

- Clerk, Hon. Stephen Anderson, U.S. Tenth Circuit Court of Appeals
- Clerk, Hon. Fred Six, Kansas Supreme Court

### Education

- JD., University of Kansas School of Law
  - Order of The Coif
  - Faculty Award, Outstanding Achievement
  - Editor, Kansas Law Review
- B.S., Economics, Kansas State University
  - Magna cum laude

### Professional Organizations

[Federal Bar Association](#)

[Kansas City Metropolitan Bar Association](#)

[Lawyers Association of Kansas City](#)

### Admissions

[Kansas](#)

[Missouri](#)

[U.S. District Court, District of Kansas](#)

[U.S. District Court, Western District of Missouri](#)

[U.S. District Court, District of Utah](#)

[U.S. District Court, Eastern District of Michigan](#)

[U.S. District Court, District of Nebraska](#)

[U.S. District Court, District of New Jersey](#)

[U.S. Court of Appeals, Eighth Circuit](#)

[U.S. Court of Appeals, Tenth Circuit](#)

### Honors and Awards

- Missouri and Kansas Super Lawyers – 2010, 2013-Present
- Former Adjunct Professor of Trial Advocacy – University of Kansas
- Missouri and Kansas Rising Star – 2008, 2009
- Former Instructor, Lawyering – University of Kansas