



# ANDREW N. FAES

Attorney

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## In Brief

- **Attorney of Wagstaff + Cartmell LLP**
- **Received his J.D. from the University of Missouri-Kansas City with academic honors**
- **Served as a Legal Writing and Research Teaching Assistant and an Editor for the UMKC Law Review**

Andy Faes devotes his practice entirely to civil litigation, with an emphasis on complex pharmaceutical and medical device actions. For the past few years, Andy has focused on electronic discovery matters and case management, providing practical and efficient discovery management solutions in a wide variety of cases. These include everything from individual personal injury cases involving a single client with productions consisting of only several hundred pages, to complex cases involving thousands of clients with multimillion-page document collections. His practice includes counseling others on electronic discovery processes, vendors, products, procedures, and analytics that will produce results for his clients. In addition, he is experienced in addressing confidentiality and privilege claims to company documents and is well-versed in both challenging and defending those claims.

Upon graduation from law school, Andy joined a small general practice firm in Kansas City where he assisted clients with a wide variety of issues including landlord/tenant disputes, employment discrimination, estate administration, domestic cases, and minor criminal offenses. Later, he joined the Kansas City firm of Shook, Hardy & Bacon, where he focused his practice in the area of products liability defense. Before joining Wagstaff & Cartmell in 2009, Andy was hired by the U.S. Environmental Protection Agency to assist with electronic discovery on a class-action employment discrimination lawsuit and stayed on to assist the agency with discovery and FOIA issues on CERCLA cases. Andy has been an active member of the American Association for Justice since he represented his class at AAJ’s annual trial competition as a member of the law school’s national trial team during his final year at UMKC.

## Notable Litigation

### **Pelvic Mesh Repair System Products Liability Litigation (S.D.W.V.)**

In 2012, thousands of lawsuits filed nationwide against several manufacturers of transvaginal mesh products. These cases were consolidated by the Judicial Panel on Multidistrict Litigation (JPML) into several MDLs before the Honorable Joseph R. Goodwin in the Southern District of West Virginia. Among the dozens of lawyers who applied for leadership positions, Judge Goodwin selected Tom Cartmell as one of a handful of attorneys to lead this mass litigation. Over the ensuing eight years, Tom and the Wagstaff & Cartmell team committed more than 50,000 hours prosecuting more than 100,000 cases – one of the largest mass consolidations ever. Media outlets have reported that settlements have totaled more than \$8 billion for women injured by these defective products. In addition to co-leading this mass action in federal court, Tom Cartmell and Jeff Kuntz played leading roles in several bellwether jury trials in federal and state courts, including:

### **\$35 Million Jury Verdict Against Ethicon and Johnson & Johnson (N.D. Ind.) –**

A jury in the Northern District of Indiana awarded plaintiff Barbara Kaiser \$10 million in compensatory damages and \$25 million in punitive damages, finding she had established both her claims of negligent design defect and negligent failure to warn. Jeff Kuntz served as Co-Lead Counsel in this case.

### **\$5.7 Million Jury Verdict Against Ethicon and Johnson & Johnson**

A jury in Bakersfield, California returned a \$5.7 million verdict in favor of plaintiff Colleen Perry for damages sustained from a TVT Abbrevo mesh sling device manufactured by Ethicon, Inc., a subsidiary of Johnson & Johnson.



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### **\$3.27 Million Jury Verdict – Huskey v. Ethicon, et al. S.D.W.V.**

Huskey v. Ethicon was the first Johnson & Johnson bellwether case to go to trial in Charleston, West Virginia. The plaintiffs, Jo and Allen Huskey, alleged her TVT-O was defective and caused her permanent and severe complications including chronic pelvic pain, sexual dysfunction and loss of consortium. After a nine-day trial, on September 5, 2014, Husky and her husband were awarded \$3.27 million and an affirmation of all five claims including failure to warn and design defect.

Jeff Kuntz served as Co-Lead Counsel in this case.

### **\$1.2 Million Jury Verdict Against Ethicon and Johnson & Johnson**

A jury in Dallas, Texas returned a \$1.2 million verdict in favor of plaintiff Linda Batiste for damages sustained from a TVT-O mesh sling device manufactured by Ethicon, Inc., a subsidiary of Johnson & Johnson.

### **Practice Areas**

Andrew handled cases in mass actions & personal injury and governmental representation. Andrew has built a national reputation handling some of the nation's largest and most challenging mass actions and achieving highly regarded results along the way. Andrew represents cities, counties, school districts and regional authorities in high-profile disputes.

His practice area includes:

Recovered billions of dollars on behalf of clients

Achieved historic results in catastrophic injury and wrongful death suits

Regularly appointed to leadership positions in MDLs nationwide

Tom Cartmell recently appointed to leadership position in Juul litigation

Hired by Kansas Attorney General in multi-year arbitration with big tobacco

Representing client in the National Prescription Opiate Litigation, MDL No. 2804

Civil Litigation

Pharmaceutical and Medical Device

### **Prior Work Experience**

U.S. Environmental Protection Agency

Attorney, Shook, Hardy & Bacon

### **Education**

- J.D., J.D., University of Missouri – Kansas City
- B.A., Western Illinois University

### **Admissions**

[Missouri](#)