



BRIAN J. MADDEN

Partner

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In Brief

- **Partner of Wagstaff + Cartmell LLP**
- **Settled a commercial real estate case against the City of Kansas City, Missouri for \$15 million on the Friday before trial was to begin**
- **Achieved a \$5.7 million verdict for his clients, which was the fifth largest verdict in Missouri that year**
- **Achieved a defense verdict for his clients after a four-week federal court trial where plaintiff requested an award of \$90 million.**

Brian Madden has tried numerous, complex, and serious cases involving business disputes, personal injury, and wrongful death for both plaintiffs and defendants.

In addition to trial work, Brian practices in the appellate arena. For example, he successfully reversed a \$5 million verdict, reversed an adverse judgment against clients in trust litigation, and protected a \$1 million insurance coverage judgment for his clients.

Notable Litigation

\$10 Million Settlement – Environmental Property Damage

Wagstaff & Cartmell reached a \$10 million class action settlement with an engineering firm on behalf of a class of Northwest Missouri landowners. The case involved allegations that a tannery distributed tannery sludge containing hexavalent chromium to landowners to use as fertilizer in four Missouri counties from 1983 to 2009. The defendant, an engineering firm, provided consulting services to the tannery during some of that time period.

Citadel Plaza LLC v. City of Kansas City, Jackson County, Missouri – \$15 million settlement

Wagstaff & Cartmell represented Citadel Plaza LLC (Citadel) in a commercial real estate case against the City of Kansas City, Missouri. The City failed to provide partial funding per their contract for the project, after the client expended significant time and money redeveloping the site. As a result, the development project failed, and the client suffered substantial losses. The case was settled for \$15 million on the Friday before trial was to begin.

Prospect North v. City of Kansas City, 16th Cir. Jackson County, Missouri – \$6 million settlement

Wagstaff & Cartmell represented a real estate developer against the City of Kansas City, Missouri regarding a breach of cooperative agreements. The developer contributed land and agreed to build public and private improvements in exchange for the City's agreement to fund certain public improvements. After extensive delays, alleged to have been caused by the City, the project failed when the developer's lender foreclosed on the land. After extensive discovery and depositions of multiple expert witnesses, the case settled for \$6 million on the eve of trial.

Defense Verdict – Commercial Litigation

Wagstaff & Cartmell attorney, Brian Madden, represented an oil and gas company sued for nuisance and unjust enrichment in federal court in Wichita, Kansas. The Plaintiff, a natural gas storage and transportation company, sought \$90 million in damages for the production and sale of alleged storage gas. After a four-week jury trial, the jury returned a defense verdict for Brian's client.

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.



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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.

Practice Areas

Brian handled cases in class actions & commercial litigation and mass actions & personal injury. Brian has represented developers, franchisees, investors, large companies, small businesses and entrepreneurs in a wide range of litigation. Brian 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.

- 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
- 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

His practice area include:

- Antitrust
- Breach of contract
- Business torts
- Franchise litigation
- Professional malpractice
- Financial and investment fraud
- SEC whistleblower/qui tam actions

Prior Work Experience

- Partner, Lathrop & Gage L.C.
- Partner, Stueve Helder Siegel LLP

Education

- J.D., University of Missouri – Kansas City, 1992
 - Associate Editor, UMKC Law Review
- B.A., Rockhurst College
 - Summa Cum Laude
 - Alpha Sigma Nu, Jesuit Honor Society

Professional Organizations

- [Kansas City Metropolitan Bar Association](#)
- [Missouri Bar Association](#)

Admissions

- [Kansas](#)
- [Missouri](#)
- [U.S. District Court, District of Kansas](#)
- [U.S. District Court, Western District of Missouri](#)
- [U.S. Court of Appeals, Eighth Circuit](#)



Honors and Awards

American Board of Trial Advocates — 2019
The National Trial Lawyers Top 100 — 2014

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