



JACK HYDE

Partner

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In Brief

- **Partner of Wagstaff + Cartmell LLP**
- **Tried cases to verdict on behalf of both plaintiffs and defendants**
- **Recognized by his peers as a Missouri and Kansas Super Lawyers Rising Star in litigation every year since 2015**
- **Currently representing clients in high-stakes civil litigation across the United States**

Jack Hyde represents both plaintiffs and defendants in a wide range of civil litigation cases, with an emphasis in the areas of personal injury, wrongful death, product liability and professional liability.

Jack grew up in Springfield, Missouri, and graduated from Drury University with a B.A. in biology and art history. He later earned his law degree from the University of Missouri Kansas City School of Law. After working as a law clerk for Wagstaff & Cartmell throughout law school, Jack began practicing with the firm following his graduation.

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 Abbrevio mesh sling device manufactured by Ethicon, Inc., a subsidiary of Johnson & Johnson.

\$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.

In Re: Avandia Marketing Sales Practices and Product Liability Litigation, MDL No. 1871 (E.D. Pa.)

In 2007, the Judicial Panel on Multidistrict Litigation (JPML) created an MDL consolidating a number of cases before the Honorable Cynthia M. Rufe in the Eastern District of Pennsylvania. After being interviewed in open court, Judge Rufe appointed



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Tom Cartmell to the Plaintiffs' Steering Committee leading this case. Tom was later selected to be co-lead trial counsel in the lead trial, which settled shortly before the start of trial. All cases in the MDL eventually settled for a confidential amount. Media outlets have reported that the settlements totaled roughly \$2 billion.

In Re: Bextra and Celebrex Product Liability Litigation, MDL No. 1699

Tom Cartmell was appointed by the Honorable Charles R. Breyer of the Northern District of California as a member of the Plaintiff's Steering Committee on this case. He also served as co-lead trial counsel in this product liability multi-district litigation arising out of the use of the medications Bextra and Celebrex. The lead case settled on the eve of trial and ultimately all cases in the MDL settled for more than \$745 million.

In Re: Benicar Product Liability Litigation, MDL No. 2606

D.N.J. \$358 million global settlement of more than 2,200 cases in MDL. David DeGreeff served as a member of the Science and Experts Committee and oversaw the Secondary Science Document Review. Jeff Kuntz was appointed to the Plaintiff's Steering Committee for this case.

In Re: Depuy Orthopaedics, Inc. Pinnacle Hip Implant Prods. Liab. Litig., MDL No. 1699

N.D. Tex. Total settlements in MDL reported to be more than \$1.7 billion Tom Cartmell serves on the Steering Committee in this case pending in the Northern District of Texas in front of the Honorable Ed Kinkeade. This case involves hip implants and includes claims of negligent design and failure to warn.

In Re: Kugel Mesh Hernia Patch Prods. Liab. Litig., MDL 1842

D.R.I. \$184 million global settlement of more than 2,600 cases in MDL. Jeff Kuntz was a member of the Plaintiff's Steering Committee for this case. He helped try the first Bellwether case in the multidistrict litigation

In Re: Bard IVC Filters Products Liability Litigation, MDL No. 2641

Attorneys at Wagstaff & Cartmell worked on this case in which Tom Cartmell was appointed to the Plaintiffs' Steering Committee in the District of Arizona in front of the Honorable David G. Campbell.

David DeGreeff also served as a member of the Medical Monitoring Class Action Committee for this MDL, and was recently appointed by the Judge to serve on the Common Benefit Fee Committee. He was also a member of the trial team In Booker v. Bard Peripheral Vascular, et al., resulting in a \$3.6 million verdict including \$2 million in punitive damages. This verdict is included in the top ten product liability verdicts in the state of Arizona. The verdict was on behalf of an individual injured by a Bard IVC filter and was the first bellwether case tried in that litigation.

In Re: Ephedra Products Liability Litigation, MDL No. 2071

Tom was appointed by the Honorable Jed S. Rakoff to the Plaintiffs' Steering Committee. He personally represented clients from across the nation in this product liability litigation in the Southern District of New York arising out of injuries suffered from ingestion of ephedra containing weight loss supplements. Tom acted as settlement-resolution counsel on behalf of plaintiffs in the NVE and MuscleTech litigation, resulting in more than \$50 million in settlements. Tom's cases also included settlements for multiple clients in excess of \$9 million.



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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.

Defense Verdict – Ruptured Appendix with Complications

Wagstaff & Cartmell successfully defended a family practice physician in a five-day jury trial in Douglas County, Kansas, in which the plaintiff asserted a claim of medical negligence and sought \$3.3 million in damages.

The plaintiff claimed that the defendant was negligent by failing to appropriately work up and diagnose appendicitis during a visit to an urgent care clinic. The plaintiff was diagnosed with appendicitis by another healthcare provider during a subsequent urgent care visit that occurred four days later. The plaintiff claimed the delayed diagnosis caused his appendix to rupture, which led to an open appendectomy procedure, and that he experienced wound breakdown and a hernia at the incision site as a result, which required further surgical intervention. Furthermore, the plaintiff claimed that the hernia repair surgery left him with an entrapped ilioinguinal nerve, which caused life-limiting pain and discomfort and prevented him from working, being active, and enjoying time with his family.

Wagstaff & Cartmell attorneys successfully argued that the plaintiff’s presentation on the date of the client’s involvement was atypical for appendicitis and that the plaintiff had a retrocecal appendix, which is uncommon and made the diagnosis of appendicitis more difficult. The team also argued that the plaintiff’s appendix likely ruptured before his visit with the client; thus, the ultimate outcome likely still would have occurred even if the diagnosis of appendicitis had been made at the time of our client’s involvement.

Defense Verdict in Wrongful Death Case – \$1.95 Million Pretrial Demand

Brandon Henry and Tom Rottinghaus successfully defended a local surgeon and medical group in a jury trial in Jackson County, Missouri, in which the plaintiffs asserted claims of medical malpractice and wrongful death, and sought damages in the amount of \$2,465,347.24.

The plaintiffs claimed that the defendants were negligent for failing to fully repair the patient’s paraesophageal hernia during a surgical procedure in July 2013. Further, the plaintiffs contended that the defendant was negligent for failing to place a nasogastric tube or gastrostomy tube during or following surgery for purposes of reducing the risk and effects of gastroparesis (dysmotility of the stomach) and aspiration. Lastly, the plaintiffs claimed the defendant departed from the standard of care by advancing the patient’s diet post-operatively, increasing the risk of aspiration and related problems. Ultimately, the plaintiffs claimed that the actions and decisions of the defendant lead to the patient experiencing post-operative vomiting, aspiration, aspiration pneumonia, sepsis and death.

Wagstaff & Cartmell successfully argued that the surgical procedure selected for the patient was the most appropriate option for him due to his age and overall medical condition. The attorneys also argued it was reasonable for the clients not to place tubes during or following surgery and to advance the patient’s diet after surgery because the absence of tubing and advancement of the diet can promote gastric and intestinal motility and reduce complications. Further, the team was able to convince the jury that



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the patient's post-operative course and death occurred despite appropriate care by the clients and likely still would have occurred if a different treatment course had been selected for the patient. After a seven-day trial, a Jackson County, Missouri jury returned a verdict in favor of the clients in this case in which the plaintiffs' final pretrial demand was \$1.95 million.

Practice Areas

Jack handled cases in healthcare & professional liability and mass actions & personal injury. Jack 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. Jack represents leading hospital systems, physician groups, individual doctors and other healthcare professionals in malpractice cases in every area of medicine.

His practice area has:

- 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
- Proudly represented Kansas City institutions
- Expertise across the entire healthcare field
- Midwest leader in healthcare defense cases

Prior Work Experience

Jack worked as a law clerk for Wagstaff & Cartmell throughout law school and began his career with the firm upon graduation.

Education

- J.D., University Missouri Kansas City School of Law
 - Cum laude
- B.A., Drury University
 - Summa cum laude

Professional Organizations

[American Bar Association](#)
[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. District Court, District of Colorado](#)
[U.S. Court of Appeals, Eighth Circuit](#)

Honors and Awards

Missouri and Kansas Super Lawyers "Rising Star" — 2015 – present