



MICHAEL P. CUTLER

Partner

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In Brief

- **Partner of Wagstaff + Cartmell LLP**
- **Managed high-stakes complex litigation matters nationwide involving a wide variety of disputes, ranging from catastrophic personal injury to class actions to contract claims.**
- **Represented individuals, franchisors, small businesses, and Fortune 500 companies as both plaintiffs and defendants.**

Mike Cutler zealously advocates on behalf of his clients both in and out of the courtroom to deliver excellent results. He has represented individuals and all sizes of companies in hundreds of litigation matters in both state and federal court across the country. Mike has favorably resolved matters through early settlement, dispositive motions, and mediation and arbitration. He has successfully tried cases in state and federal court in California, Missouri, and Kansas.

Before joining Wagstaff & Cartmell, Mike began his career and spent almost 15 years with the Polsinelli law firm, practicing in both the Kansas City and Los Angeles offices. A military brat, Mike was born in West Germany and grew up around the United States before finishing high school in Alaska, attending college in California and law school in Missouri. Mike has settled in Kansas City with his wife and their four kids.

Notable Litigation

\$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.

\$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.

DAHL ET AL. V. BAIN CAPITAL PARTNERS, LLC ET AL., NO. 07-CV-12388 (D. MASS.)

This antitrust action accused several of the largest U.S. private equity companies of collusion and illegal market allocation when they were supposed to be competitively bidding for acquisitions. Wagstaff & Cartmell played a key role in defeating defendants' summary judgment motions, paving the way for \$590.5 million in settlements for shareholders financially harmed by the collusion.

In Re: Syngenta Litigation Case No. 27-cv-15-3785 (Hennepin County, Minnesota District Court)

China was a large importer of U.S.-grown corn, until Syngenta prematurely released a GMO seed variety that China had not approved for import. China's ban on U.S. corn contributed to falling prices that hurt corn farmers across the country. Representing hundreds of Midwest corn growers, Wagstaff & Cartmell took an active role in the Minnesota state court litigation that helped lead to a national, global settlement of \$1.51 billion.



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Practice Areas

Michael handles cases in class actions & commercial litigation as well as mass actions & personal injury. Michael has represented developers, franchisees, investors, large companies, small businesses and entrepreneurs in a wide range of litigation. Michael has also built a national reputation handling some of the nation's largest and most challenging mass actions and achieving highly regarded results along the way.

His primary area has:

- 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

Prior Work Experience

Shareholder - Polsinelli PC

Education

- J.D., Washington University in St. Louis-2006
- B.S. Statistics, California Polytechnic State University – San Luis Obispo-2000

Admissions

Missouri

Kansas

California

U.S. District Court, Western District of Missouri

U.S. District Court, Eastern District of Missouri

U.S. District Court, District of Kansas

U.S. District Court, Northern District of California

U.S. District Court, Central District of California

U.S. District Court, Southern District of California