



TYLER W. HUDSON

Partner

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In Brief

- **Partner of Wagstaff + Cartmell LLP**
- **Head of Wagstaff & Cartmell’s commercial litigation and class action practice**
- **Lead counsel in high-stakes, complex commercial litigation matters nationwide, including financial fraud and antitrust class actions**
- **Served as Senior Counsel on the Financial Fraud Taskforce in the U.S. Securities and Exchange Commission’s Division of Enforcement**

Ty Hudson has nearly 20 years of experience handling complex commercial litigation and has helped recover more than \$700 million for clients in verdicts and settlements. He has tried cases in state and federal courts, as well as JAMS, AAA, and FINRA arbitration. He has also argued cases before various appellate courts. His broad range of experience, including serving as a federal law clerk, prosecuting cases for the SEC, and litigating for one of the largest law firms in the world, has given him unique insights into how to effectively litigate highly complex matters, as his record demonstrates.

Business Litigation: Ty has successfully represented businesses, individuals and public entities as plaintiffs in commercial litigation – often on a contingency fee. He is experienced in a wide range of complex business litigation and has handled a variety of cases, including antitrust, breach of contract, financial and investment fraud, qui tam/false claims act, professional malpractice and other business torts. Ty has also successfully tried complex commercial cases. When Wagstaff & Cartmell was hired by the Kansas Attorney General to act as private counsel for Kansas in a \$1.1 billion arbitration involving 35 states and the largest U.S. tobacco companies, Ty served as lead trial counsel at the individual state hearing before a panel of three former federal judges in Chicago. Ty’s successful representation of clients in business litigation has earned him recognition as “Best of the Bar” by the Kansas City Business Journal. For the last eight years in a row, he has been selected to Kansas and Missouri Super Lawyers for Business Litigation, which is limited to no more than 5% of the attorneys in each state.

Class Actions: Ty is experienced in prosecuting class actions. As acknowledged by Chambers USA: America’s Leading Lawyers for Business, Wagstaff & Cartmell is “[k]nown for its expertise in complex commercial and antitrust class actions.” Ty has been appointed to leadership and played key roles in large-scale class actions across the country. In *Skip’s Precision Welding, et al. v. Central Payment Co.* (D. Neb.), Ty is court-appointed lead counsel for a certified nationwide class of more than 200,000 small business merchants bringing claims against an independent sales organization for breach of contract, fraud, and RICO violations alleging the company engaged in a scheme to over bill them for credit card processing services. He recently argued and prevailed in the Eighth Circuit on an interlocutory appeal seeking to decertify the class. Ty is currently court-appointed interim co-lead counsel in *In re Surescripts Antitrust Litigation* (N.D. Ill.), a putative class action against the dominant provider of electronic prescription routing services to pharmacies alleging illegal monopolization and other antitrust violations by the company and alleged co-conspirators. In *Dahl v. Bain Capital Partners* (D. Mass.), an antitrust class action against most of the largest U.S. private equity firms that settled for \$590.5 million, Ty was one of the counsel who successfully argued for plaintiffs in opposition to defendants’ summary judgment motions at a two-day court hearing in Boston.

Bankruptcy-Related Litigation: Ty has been retained by bankruptcy trustees to investigate potential wrongdoing and recoup financial losses. He has successfully represented clients who have been pursued by bankruptcy trustees.

SEC Whistleblower Actions: As a former SEC enforcement attorney, Ty has a niche practice representing individuals reporting securities laws violations to the SEC’s Office of the Whistleblower and has helped clients obtain awards from the SEC for their efforts.

Ty began as a law clerk to the Honorable John W. Lungstrum, then-Chief Judge of the U.S. District Court for the District of Kansas. He then joined the trial practice group of a leading international law firm in Washington D.C. representing Fortune 500 companies



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in commercial litigation. His achievements landed him the opportunity to serve as Senior Counsel in the Securities and Exchange Commission's Division of Enforcement where he investigated and prosecuted federal securities laws violations. Seeking to return home to his roots, Ty joined Wagstaff & Cartmell in 2008 to help build a national practice focused on representing plaintiffs in complex litigation.

Ty graduated magna cum laude from Baker University with an accounting degree. He was a member of the golf team earning Academic All-American and All-Conference honors. He graduated from the University of Kansas School of Law where he was a member of the Law Review, the National Moot Court Team, and Order of the Coif (top 10% of class).

Notable Litigation

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.

In Re: Surescripts Antitrust Litigation (N.D. Ill.)

Wagstaff & Cartmell attorney, Ty Hudson, served as the court-appointed interim co-lead counsel in a putative class action against the dominant provider of electronic prescription routing services to pharmacies alleging illegal monopolization and other antitrust violations by the company and alleged co-conspirators.

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

Wagstaff & Cartmell attorney, Ty Hudson, was appointed to the Plaintiffs Steering Committee of nine attorneys selected to prosecute a consolidation of more than 50,000 individual actions and a Minnesota state-wide class action brought by corn farmers and other entities against Syngenta alleging that the company prematurely released genetically modified corn seed that led to a de facto embargo on U.S. corn by China. In 2018, a federal court gave final approval to a nationwide global settlement of \$1.51 billion.

Skip's Precision Welding, et al. v. Central Payment Co. (D. Neb.)

Wagstaff & Cartmell attorney, Ty Hudson, served as the court-appointed lead counsel for a certified class of more than 200,000 merchants suing an independent sales organization for breach of contract, fraud, and RICO violations alleging the company engaged in a scheme to overbill small businesses on credit card processing fees.

Dahl et al. v. Bain Capital Partners, LLC et al., No. 07-cv-12388 (D. Mass.)

In late 2007, several shareholders who sold shares of stock to some of the largest U.S. private equity firms in leveraged-buyout transactions brought an antitrust action. They alleged that collusion had suppressed the price that they were paid for their shares of



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stock in these transactions that involved buying multi-billion-dollar U.S. public companies. In 2015, after almost seven years of contentious litigation, U.S. District Judge William G. Young approved seven settlements totaling \$590.5 million for shareholders. Wagstaff & Cartmell and its attorney, Ty Hudson, was a member of the proposed Executive Committee that prosecuted this case and was one of the firms selected to present oral argument for plaintiffs at a two-day summary judgment hearing in Boston. The plaintiffs' success in withstanding the defendants' summary judgment motions paved the way for the series of settlements that followed. This case is believed to be the largest antitrust class action settlement involving market allocation in which no government antitrust action was taken.

In Re: Asacol Litigation (D. Mass)

Wagstaff & Cartmell attorney, Ty Hudson, as court appointed co-lead counsel, prosecuted an illegal monopolization case arising from an alleged hard switch product hop. Judgments for the three named plaintiffs were entered by the court against defendants totaling more than \$2.7 million.

NPM Adjustment Arbitration (State of Kansas), Tobacco Master Settlement Agreement

In 1998, the major tobacco companies reached a \$206 billion global settlement with 48 states memorialized in the landmark Master Settlement Agreement (MSA). In 2008, the tobacco companies initiated an arbitration proceeding against 35 states under a provision in the MSA contending that they were entitled to a \$1.1 billion adjustment to their contract payments for the year 2003. The Kansas Attorney General held a multi-step interview process and selected Wagstaff & Cartmell to serve as private counsel for Kansas in the arbitration proceeding. Wagstaff & Cartmell prepared and presented Kansas's case to a panel of three former federal judges at an arbitration hearing in Chicago. The tobacco companies were represented by three well-known national law firms. After the hearing but before the Panel's decision, Kansas settled all disputes with the tobacco companies for years 2003-12, which preserved for Kansas more than \$450 million of contract payments from the tobacco companies.

Hotel Case

Wagstaff & Cartmell attorney, Ty Hudson, acted as lead counsel for a Kansas City-based hotel franchisee in a complex commercial fraud and contract action against an international hotel franchisor. He helped obtain a confidential settlement for the client after more than five years of litigation.

Banking Case

Wagstaff & Cartmell attorney, Ty Hudson, acted as lead counsel for 15 community banks in a dispute arising from a commercial loan and related participation agreement on a failed real estate venture. He helped obtain seven-figure settlement for clients.

Confidential Settlement – TV Station Acquisition

Wagstaff & Cartmell attorney, Ty Hudson, obtained a confidential settlement for the buyer of a TV station in an action arising from alleged fraud in a multi-million-dollar acquisition.

Confidential Seven-Figure Settlement

Wagstaff & Cartmell attorney, Ty Hudson, served as lead counsel for investors and limited partners who obtained a confidential, seven-figure settlement in a dispute arising from allegations of fraud by general partner in connection with multi-million-dollar investment and partnership transactions.



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Watco Companies Lead Counsel

Wagstaff & Cartmell attorney, Ty Hudson, serves as lead counsel for a billion-dollar short-line railroad and transportation company, Watco Companies, or its related entities, in various complex litigation matters.

Multimillion-Dollar Contract Dispute – St. Luke’s Health System

Wagstaff & Cartmell attorney, Ty Hudson, obtained summary judgment for St. Luke’s Health System in a multimillion-dollar contract dispute and successfully argued the appeal.

Am Law 20 Firm Legal Malpractice

Wagstaff & Cartmell attorney, Ty Hudson, served as lead counsel in a legal malpractice action against an Am Law 20 law firm that resulted in a confidential, seven-figure settlement after two years of litigation.

\$13 Million Action By Bankruptcy Trustee

Wagstaff & Cartmell attorney, Ty Hudson, served as lead counsel for an international consulting company in a \$13 million action brought by a bankruptcy trustee. Obtained summary judgment on all claims against clients, and successfully argued an appeal at the Tenth Circuit.

JUUL Labs, Inc., MDL No. 2913

Wagstaff & Cartmell is involved in this MDL against JUUL Labs, Inc. Tom Cartmell has been appointed the Plaintiff’s Government Entity Liaison Counsel of the JUUL Labs Inc. MDL in the Northern District of California in front of the Honorable William H. Orrick.

Practice Areas

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

His practice 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

His practice areas of practice include:

Antitrust

Breach of contract

Business torts

Franchise litigation

Professional malpractice

Financial and investment fraud

SEC whistleblower/qui tam actions

Prior Work Experience

- Senior Counsel, Financial Fraud Task Force, Enforcement Division, U.S. Securities and Exchange Commission, 2007–2008
- Associate, Trial Practice Group, Jones Day, 2003–2007



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- Law Clerk to the Hon. John W. Lungstrum, U.S. District Court, District of Kansas, 2001–2003

Education

- J.D., University of Kansas School of Law, 2001
- B.S., Baker University, 1998

Professional Organizations

[American Bar Association](#)

[Kansas City Metropolitan Bar Association \(Federal Court Advocates Section\)](#)

[Lawyers Association of Kansas City](#)

Admissions

[Kansas](#)

[Missouri](#)

[District of Columbia](#)

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

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

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

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

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

[U.S. Court of Appeal, Second Circuit](#)

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

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

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

[U.S. Supreme Court](#)

Honors and Awards

- Missouri & Kansas Super Lawyer, Thomson Reuters – 2013 to present
- Best of the Bar, Kansas City Business Journal
- Rising Star, Kansas City Magazine – 2011, 2012
- AV Rating by Martindale-Hubbell