



## ERIC M. TRELZ\*

### SENIOR COUNSEL

St. Louis, MO

314.342.8039

[etrelz@atllp.com](mailto:etrelz@atllp.com)



Eric Trelz, a member of the firm's Litigation practice group, provides practical, sophisticated advice about legal problems unique to commercial litigation and employment. Eric's 30 years of trial experience enhance his ability to represent clients in these types of claims.

Eric has extensive experience in complex commercial litigation. He serves clients from a wide range of industries, including banking and financial services, manufacturing, wholesale and retail entities, and health care. He handles all forms of commercial litigation including trade secrets and noncompete litigation. Eric has successfully defended numerous clients in class actions involving tens of millions of dollars in alleged damages. With a thorough knowledge of commercial law and trial practice and a deep understanding of the economic realities of litigation, he strives to ensure his services exceed the client's expectations.

In his employment practice, Eric has litigated virtually every form of workplace claim in multiple venues throughout the country, including federal and state trial and appellate courts, and administrative agencies.

*\*Eric Trelz an independent contractor with Armstrong Teasdale.*

### EDUCATION

- Saint Louis University School of Law (J.D., 1987)
  - Saint Louis University Law Journal, Staff member and primary editor
- Central Methodist University (B.A., 1980)

### PROFESSIONAL ACTIVITIES

- The Missouri Bar
- Illinois State Bar Association
- American Bar Association (Employment and Labor Law Section)
- The Bar Association of Metropolitan St. Louis (Volunteer Lawyers' Program)
- Missouri Organization of Defense Lawyers

### CHARITABLE AND CIVIC INVOLVEMENT

- Family Support Network (Board of Directors, 2010-2012)

### SERVICES AND INDUSTRIES

Litigation

Complex Commercial  
Litigation

Noncompete and Trade  
Secrets

Class Action Litigation

Employment and Labor

Intellectual Property Litigation

Internal Investigations and  
Regulatory Compliance

Consumer Products and  
Services

Energy and Utilities

Financial Services and Banking

Health Care and Life Sciences

Manufacturing and Innovation

Technology

Data Innovation, Security and  
Privacy

Product Liability

### ADMISSIONS

Missouri

Illinois

U.S. Court of Appeals, Ninth  
Circuit

U.S. Court of Appeals, Eighth  
Circuit

U.S. District Court, Central  
District of Illinois

U.S. District Court, Southern  
District of Illinois

U.S. District Court, Eastern

## ACCOLADES

- Obtained #25 Plaintiff's Win in Missouri (2017)
- [Missouri/Kansas Super Lawyers®](#) (2010-2018)
- AV® Preeminent Rated, *Martindale-Hubbell*
- *The Best Lawyers in America®*; Employment Law - Management (2013-present); Commercial Litigation (2021-present)

## BACKGROUND

Prior to joining Armstrong Teasdale, Eric was in private practice for 20 years at another St. Louis area firm.

## EXPERIENCE

### **\$8.3 Million Verdict for Client in Business Negligence Case**

Tried a complex contract and tort lawsuit in District Court for the Eastern District of Missouri on behalf of plaintiff garment design company whose building was destroyed after a natural gas explosion. Obtained an \$8.3 million verdict for clients after a seven-day trial. Verdict was ranked the #25 plaintiff win in Missouri in 2017.

### **Favorable Settlement After Multimillion-Dollar Summary Judgment for Plaintiff**

#### **Vacated**

Successfully argued a motion for new trial on a summary judgment order against the client in a Missouri class action. After argument, the trial court vacated a prior summary judgment ruling in favor of the plaintiff class on a claim worth tens of millions of dollars in damages. The parties settled the case soon after the court vacated its order of summary judgment.

### **Investigation for Hospital of Officers' Practices, Policies**

Retained by hospital board of directors to conduct across-the-board investigation of hospital officers' practices and policies, including potential Medicare fraud, violations of the False Claims Act, violations of the federal Anti-Kickback Statute and HIPAA violations.

### **Successful Defense of Client in Trade Secret Claim**

Successfully defended a construction industry client in a trade secret claim wherein the Federal Court in Washington transferred the case on a venue motion to a Federal Court in California. The parties settled the case soon after transfer.

### **Successful Representation in Noncompete Case**

Successfully represented a construction company in a Missouri Circuit Court against four former employees who formed a competing business in violation of a sales representative agreement containing noncompetition and nonsolicitation clauses. After trial, the Court granted an injunction barring the defendants from unlawfully competing against the client.

### **Favorable Outcome in Arbitration for Banking Client**

Secured a ruling in favor of a banking client that had been accused of violating a

vendor's agreement after three days of arbitration in Milwaukee, Wisconsin. The plaintiff, a former vendor of the bank, sought \$1.1 million in damages, plus attorneys' fees. The bank counterclaimed alleging its performance was excused by the vendor's prior material breach of the agreement.

#### **Successful Appeal for Payment Agent Client in UCC Case**

Successfully argued an appeal before the U.S. Court of Appeals for the Ninth Circuit. In affirming the jury verdict in favor of the client, the appellate court held for the first time that a payment agent, such as the client, was not an account debtor under the Uniform Commercial Code.

#### **Significant Ruling in Illinois Appellate Court Relating to Privileged Medical Information**

Successfully argued an appeal of a ruling in favor of a rural hospital district in the Appellate Court of Illinois for the Fifth District. For the first time in Illinois, an appellate court held that a patient's name is privileged medical information and not subject to discovery. The ruling affirmed the trial court's decision denying a newspaper's access to the hospital-client's peer review files.

#### **Favorable Ruling for Physician in Breach of Contract Arbitration**

Secured a favorable ruling for a physician after three days of arbitration. The physician was sued for breach of contract by a national health care organization.

#### **Successful Appeal in FMLA Rights Case**

Successfully argued an appeal before the U.S. Court of Appeals for the Eighth Circuit where the Court affirmed the trial court's grant of summary judgment in favor of our health care client in a case alleging that the client violated the former employee's Family and Medical Leave Act (FMLA) rights. The appellate court's ruling further clarified the employer's obligations when requiring return to work certifications under FMLA.

#### **Successful Defense of \$30 Million Claim Relating to Intentional Business Interference**

Successfully defended real estate clients in a Missouri Circuit Court from a \$30 million claim for intentional interference with contract and from attempts to obtain injunctive relief preventing them from doing business.

#### **Defense Verdict for Finance Company in Alleged Intentional Interference Case**

Won a defense verdict for a client after a six-day jury trial in the U.S. District Court for the District of Nevada. The client was sued by a finance company for alleged intentional interference with contract. The finance company, which alleged the client unlawfully took its clients, sought \$4.2 million in damages plus punitive damages.

#### **Favorable Ruling for Transportation Company in Improper Competition Case**

Secured a ruling in favor of a transportation client after two days of trial in a case filed by a competitor attempting to obtain an injunction preventing the client from doing business and seeking damages for alleged improper competition in violation of Missouri transportation statutes.

#### **Successful Appeal Concerning Equitable Cleanup Doctrine**

Successfully argued an appeal before the Missouri Supreme Court which made absolute a Writ in Prohibition preventing the trial court from denying the health care client's jury trial demand. In doing so, the Missouri Supreme Court changed the law concerning the equitable cleanup doctrine.

#### **Decision Affirmed on Appeal, Denying Class Certification in Housing Discrimination Action**

Successfully argued before the U.S. Court of Appeals for the Eighth Circuit which affirmed a trial court's ruling denying class certification of Missouri County residents in a housing discrimination action against the county. The appeals court also affirmed the lower court's granting of summary judgment in favor of the client on the main claims in the case.

#### **Appellate Court Held that Federal Arbitration Act Preempts State Law in Employment Case**

Secured reversal of the trial court's denial of the client's motion to compel arbitration in an appeal before the Missouri Court of Appeals for the Eastern District of Missouri. The appellate court held that for employment contracts affecting interstate commerce, the Federal Arbitration Act preempts state law.

#### **Favorable Verdict for Banking Client After One-Week Jury Trial**

Secured a verdict in favor of a banking client after a one-week trial in Illinois Circuit Court. The jury rendered the verdict in a suit by a terminated employee for alleged defamation of character, intentional infliction of emotional distress and negligent infliction of emotional distress.

#### **Defense Verdict in Alleged Excessive Force Case for County, Police Department and Officers**

Secured a defense verdict in favor of a Missouri County, its police department and police officers after a one-week jury trial in the U.S. District Court for the Eastern District of Missouri. The defendants had been sued for alleged violation of the plaintiffs' Constitutional rights. The case concerned alleged use of excessive force in the arrest of plaintiffs.

#### **Defense Judgment for Auto Manufacturer in Title VII Case**

Won a complete defense judgment after four days of trial in the U.S. District Court for the Eastern District of Missouri, on claims against an automobile manufacturer sued for allegedly violating Title VII in the termination of plaintiff.

#### **Verdict for Local Hospital in \$120 Million Retaliation, Discrimination Suit**

Secured a verdict in favor of a local hospital after a one-week jury trial in U.S. District Court for the Eastern District of Missouri on all claims filed by a former employee. The plaintiff alleged his termination was in retaliation for exercising rights under the Missouri Workers' Compensation laws and in violation of state and federal laws prohibiting racial discrimination and sought \$120 million in damages.

#### **Defense Verdict for National Convenience Store Chain in Racial Discrimination Case**

Won a complete defense judgment after a four-day trial in U.S. District Court for the Eastern District of Missouri for a national convenience store chain in a racial discrimination case.

## **THOUGHT LEADERSHIP**

June 2020

**Practical Law: Commercial Litigation Q&As - Missouri**

Thomson Reuters

March/April 2015

**If It's a Secret You Should Be Able to Protect It**

Illinois Banker Magazine

March 2011

**How to Hire and Fire in 96 Jurisdictions**

Chapter on Arizona

March 2011

**How to Hire and Fire in 96 Jurisdictions**

Chapter on Missouri

August 2010

**Cross-Examining the Plaintiff "Defense Research Institute, Employment Law Trial Tactics**

November 2009

**Social Networking Sites: A Useful Tool or a Dangerous Trap for Employers?**

Missouri Chamber of Commerce and Industry Newsletter, Volume 104

September/October 2009

**What Can Employees Expect From the EEOC Under the Obama Administration?**

St. Louis Commerce Magazine

April 2009

**To Arbitrate or Not To Arbitrate – What Should a Responsible Bank Do?**

BankNews

August 2008

**Supreme Court Leaves it to the EEOC to Determine What Constitutes a 'Charge' Under the ADA**

Common Law Journal

August 2008

**Potentially Dangerous 'Me Too' Evidence May Be Admissible...Or It May Not**

Common Law Journal

August 2008

**Can a Workplace Bully Subject Your Bank to Liability**

BankNews

February 2001

**Annotation of Missouri Rule of Civil Procedure 72.01**

Missouri Practice Volumes