



## ERIC M. WALTER

### PARTNER

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Eric Walter has extensive state and federal litigation experience in a wide range of complex commercial and business cases that include: a major men's retail chain defeating false advertising claims by different statewide classes of customers; a publicly traded company defeating breach of fiduciary duty claims by a national class of former stockholders; and a religious conference center prevailing in a long-running corporate governance and property dispute.

In his practice, Eric serves privately owned businesses, publicly traded companies and nonprofit corporations. A significant portion of this work involves the defending class action lawsuits brought against various business entities. Many of the cases involve allegations of fraud, false advertising, unfair trade practices and breaches of state and federal consumer protection laws.

Eric also represents clients in matters alleging breach of contract, breach of fiduciary duty, fraud, and copyright infringement. He also provides counsel in workplace cases involving claims such as discrimination and violation of noncompete and nonsolicitation provisions.

A significant part of Eric's practice involves representing businesses and individuals in the legalized marijuana industry. He has successfully represented companies applying for state licenses to cultivate and dispense medical marijuana and its byproducts. In this area, Eric advises clients on state and federal regulations governing not only the operation of legalized marijuana businesses, but also the solicitation of and contracting with investors and other business partners.

### EDUCATION

- University of Missouri School of Law (J.D., 1998)
  - Missouri Environmental Law and Policy Review, Articles Editor (1996-1998)
- University of Missouri (B.S., *magna cum laude*, 1995)

### PROFESSIONAL ACTIVITIES

- The Missouri Bar
- Bar Association of Metropolitan St. Louis (Marijuana Law Committee, Chair)
- Texas Bar Association

### SERVICES AND INDUSTRIES

Class Action Litigation

Cannabis and Hemp Law

Employment and Labor Litigation

Outside General Counsel

Noncompete and Trade Secrets

Consumer Products and Services

Alternative Dispute Resolution

Ethics and Professional Responsibility

### ADMISSIONS

Missouri

Illinois

U.S. Court of Appeals, Seventh Circuit

U.S. Court of Appeals, Eighth Circuit

U.S. District Court, Western District of Missouri

U.S. District Court, Eastern District of Missouri

U.S. District Court, Southern District of Illinois

## ACCOLADES

- Best Lawyer for Cannabis Counsel, Reader's Choice Awards, MO Greenway Magazine (2019, 2021)
- [\*Missouri/Kansas Super Lawyers\*](#)<sup>®</sup> (2017-present)

## BACKGROUND

Prior to joining the firm, Eric was in private practice at another St. Louis area law firm. He was previously an assistant attorney general for the state of Missouri. In that position, Eric was appointed general counsel for several professional state licensing boards and prosecuted licensure violations. While with the Attorney General's Office, he also worked on complex federal lawsuits involving ERISA pre-emption.

## EXPERIENCE

### **Assisted Multiple Clients in Missouri Medical Marijuana Application, Licensure Process**

Assisted multiple clients in drafting and submitting numerous applications for medical marijuana facility licenses to the Missouri Department of Health and Senior Services.

### **Counseled 15+ Clients in Missouri Medical Marijuana Application, Licensure Process**

Advised and assisted over 15 other companies filing medical marijuana license applications, including assistance with rule interpretations and analysis of Missouri's complex application materials.

### **Outside GC to Industry Trade Association**

Assisted in the organization of MoCannTrade, Missouri's leading industry trade association, and continues to serve as its outside general counsel.

### **Multimillion-Dollar Investment in Multi-State Marijuana Cultivation Business**

Advised and assisted client with documenting a multimillion-dollar investment in a multi-state marijuana cultivation business.

### **Significant Victory in Multimillion-Dollar National Class Action for Men's Retailer**

Secured a significant victory for a men's clothing retailer on a motion for summary judgment in U.S. District Court for the District of Maryland. The plaintiffs alleged that certain sales promotions were deceptive and sought certification of a California class, potentially exposing our client to hundreds of millions of dollars in damages. The Court dismissed the lawsuit finding that plaintiffs could not establish that the marketing campaign caused them damage. Earlier, the Court had dismissed requests to certify a nationwide class and a Maryland subclass for similar reasons.

### **Dismissal in Consumer Class Action Lawsuit for Sporting Goods Retailer**

Secured the dismissal of a consumer protection and class action lawsuit against a major sporting goods and outdoor equipment retailer filed in the U.S. District Court for the Western District of Missouri. The matter specifically involved claims of alleged violation of the Missouri Merchandising Practices Act, unjust enrichment, and violation of consumer protection laws in 21 other states. The plaintiff sought to represent a nationwide class of customers seeking millions of dollars in damages for alleged violations of various states consumer protection statutes. The court granted the client's

motion to dismiss, and the plaintiff did not appeal or seek leave to amend.

#### **Successful Licensure for Client in Illinois Medical Marijuana Industry**

Assisted our client in preparing detailed applications for licenses to grow and dispense medical marijuana in an intensely competitive process under Illinois's 2014 Compassionate Use of Medical Cannabis Pilot Program Act. Over 370 applications were filed in Illinois for just 81 licenses. Our client won a license to operate a medical marijuana dispensary in suburban Chicago.

#### **Successful Licensure for Missouri Client to Operate Vertically Integrated Hemp CBD Oil Production Facility**

Assisted our client in preparing a competitive license application that received one of only two licenses issued after Missouri passed laws in 2014 that created a commercial CBD oil industry to treat registered patients with intractable epilepsy.

#### **Managed Consumer Class Action Lawsuits for Major Men's Retailer**

Managed multiple consumer class action lawsuits for major men's retailer. Obtained a dismissal of one lawsuit, and have motions to dismiss pending on two additional lawsuits.

#### **Secured Voluntary Dismissal of Consumer Class Action Against Major Clothing Retailer**

Secured the voluntary dismissal of a consumer class action filed against a major clothing retailer in the U.S. District Court for the District of New Jersey. The plaintiff alleged that our client's sales promotions violated New Jersey consumer regulations governing advertisements, potentially exposing our client to liability for millions of dollars in statutory damages. After an appellate decision in another case confirmed the strength of our motion to dismiss arguments, the plaintiff chose to voluntarily dismiss the lawsuit.

#### **\$1.8 Billion Sale of International Men's Apparel Manufacturer, Retailer**

Managed the \$1.8 billion sale of publicly traded company specializing in the international manufacturing and sales of men's apparel.

#### **\$825 Million Acquisition of Clothing Manufacturer, Retailer**

Managed the \$825 million acquisition of a manufacturer and retailer of men's and women's active and outdoor outerwear for publicly traded company.

#### **Handled Acquisition of \$2.3 Billion Menswear Retailer and Subsequent Litigation**

Defended clothing retailer against multiple lawsuits associated with the \$2.3 billion acquisition of a publicly traded clothing retailer.

#### **Summary Judgment for Defense Company Directors in Class Action Suit**

Obtained summary judgment for multiple directors of the board of a publicly traded national defense company against former shareholders' putative class action claims, alleging breach of fiduciary duty and seeking millions in damages. The clients successfully moved to dismiss the case, and the Missouri Supreme Court affirmed the judgment.

#### **Favorable Resolution in Dispute Between Medical Marijuana Dispensary Owners**

Assisted a client in resolving a closely held corporate dispute between owners and officers of a medical marijuana dispensary. We thwarted another owner's efforts to appropriate our client's ownership interest and breach his management and consulting agreement, then negotiated a favorable resolution.

#### **Favorable Resolution in Breach of Contract Suit**

Represented an ambulance service provider who had an exclusive contract to provide services for an entire county. When the county government attempted to breach the client's contract, we filed a lawsuit to protect the client's rights and negotiate a favorable resolution.

#### **Summary Judgments Affirmed on Appeal for Conference Center**

Defended a conference and resort center's amendments to its governing documents from multiple lawsuits filed by a religious association. The religious association claimed that the amendments unlawfully eliminated alleged enforceable contractual and statutory rights in the original documents. The client prevailed on summary judgment in two different jurisdictions, and each judgment was unanimously affirmed on appeal.

#### **Obtained Dismissal of Consumer Class Action for Retailer in Illinois**

Obtained a dismissal of putative consumer class action alleging deceptive advertising in U.S. District Court for the Northern District of Illinois. The Court granted the client's motion to dismiss, and when the plaintiff sought appellate review, the Seventh Circuit unanimously affirmed.

#### **Obtained Dismissal of Consumer Class Action for Clothing Retailer**

Obtained a dismissal of putative consumer class action alleging deceptive advertising in U.S. District Court for the District of New Jersey. The plaintiff claimed the retailer's advertisements were misleading because the products were not sold at the advertised regular prices often enough. The Court dismissed the case because the complaint alleged no facts showing that the plaintiff suffered any damages.

## **THOUGHT LEADERSHIP**

October 4, 2019

#### **Open For Business: Illinois Adult Use Dispensary License Applications Now Available**

November 7, 2018

#### **Medical Marijuana Measure Passes in Missouri**

November 10, 2016

#### **Voters Approve New Marijuana Laws in Eight States**

June 18, 2015

#### **Colorado Employers Can Fire Workers for Off-Duty Medical Marijuana Use**

## **EVENTS**

October 12, 2021

#### **Cannabis & CBD for Older Adults & Long-Term Care Residents**

*voycestl.org*

September 9, 2021

#### **The Evolving Cannabis Industry: Employment, Regulatory Requirements and Strategic Growth**

*Online Event*

April 23, 2021

**Implications of Medical Cannabis in the Workplace**

*Workforce2030 Conference*

May 27, 2020

**Lab Testing Panel: Understanding The Process and Requirements For MMJ Product Testing**

*MoCannTrade*

April 22, 2020

**COVID-19 MMJ Industry Impact and Updates**

*MoCannTrade*

March 13, 2020

**Legal Issues Relating to Medical and Recreational Marijuana**

*Washington University in St. Louis CLE*

March 3, 2020

**Buying and Selling Ownership in A Cannabis Facility**

*MoCannBizCon+Expo*

February 13, 2020

**Representing Clients in Missouri's New Medical Marijuana Industry**

*Bar Association of Metropolitan St. Louis*

February 12, 2020

**Medical Cannabis Network Compliance & Security Symposium**

*Applied technologies*

January 30, 2020

**St. Louis Employment and Labor Seminar**

*Saint Louis Art Museum*

January 15, 2020

**Medical Marijuana - What It Means for Missouri Businesses**

*Greater St. Charles County Chamber of Commerce Lunch with Leaders 2020*

December 5, 2019

**New Medical Marijuana Businesses: From Licensing to Commencement**

*Armstrong Teasdale*

November 26, 2019

**A Budding Industry: Perspectives on Medical Marijuana in Missouri**

*Cannabis Law Society, Saint Louis University School of Law*

October 24, 2019

**Banking and the Medical Marijuana, Hemp and CBD Industries: Challenges, Risks and**

## **Compliance**

*Missouri Bankers Association Bank Legal Issues Conference, Columbia, Missouri*

September 19, 2019

### **Show-Me Missouri Medical Marijuana - Navigating the Legal Implications For Lawyers, Law Firms and Their Clients**

*The Missouri Bar Annual Meeting*

September 11, 2019

### **Medical Marijuana: Overview & Panel**

*Missouri Municipal League*

August 27, 2019

### **Looking at Legality: Legal and Compliance Considerations Regarding Marijuana Business Accounts**

*Heartland Credit Union Association Cannabis Conference*

June 14, 2019

### **Missouri's Medical Marijuana Industry**

*University of Missouri - Kansas City CLE, Saint Louis 15-Hour Review of the Law 2019*

May 30-31, 2019

### **2019 Bench & Bar Conference**

*Bar Association of Metropolitan St. Louis*

January 28, 2019

### **Regulatory Preview: Medical Marijuana in Missouri**

*Federalist Society Annual Meeting, Missouri House Chamber – Jefferson City*

January 15, 2019

### **Cannabusiness & Cultivation 2: Entering Missouri's Medical Cannabis Industry**

*MoCannTrade event at Danforth Plant Science Center*

January 7, 2019

### **Legal Representation in the Medical Marijuana Industry**

*MoCannTrade event at Rockwell Brewing*

October 30, 2018

### **Missouri's Medical Marijuana Ballot Initiatives**

*Bar Association of Metropolitan St. Louis*

May 2018

### **Legal Services Related to the Legalized Marijuana Industry**

*Armstrong Teasdale CLE*

August 2017

### **Marijuana Law 201**

*Bar Association of Metropolitan St Louis' Bar Brews CLE & Happy Hour Series*

October 17, 2016

**BAMSL CLE: The Impact of Missouri Becoming America's Next Medical Marijuana State**

*Armstrong Teasdale LLP*

July 2016

**Marijuana Law 101**

*Bar Association of Metropolitan St Louis' Bar Brews CLE & Happy Hour Series*

July 2015

**Class Actions: Managing Wage & Hour and Deceptive Advertising Claims**

*Armstrong Teasdale/ Association of Corporate Counsel CLE*

## **NEWS**

April 6, 2022

**National Law Journal Names Eric Walter a Cannabis Law Trailblazer**

November 17, 2021

**Armstrong Teasdale Attorneys Named 2021 Missouri & Kansas Super Lawyers®, Rising Stars**

October 27, 2021

**Marijuana Law**

June 1, 2021

**Counseling Cannabis: Debriefing the State of the Industry, the Road to 2022, Decoding Appeals, and More**

November 16, 2020

**Armstrong Teasdale Attorneys Named 2020 Missouri & Kansas Super Lawyers®, Rising Stars**

March 16, 2020

**Eric Walter, Armstrong Teasdale Recognized for Marijuana and Hemp Law Work**

January 2, 2020

**Armstrong Teasdale Names 16 New Partners**

November 13, 2019

**Armstrong Teasdale Attorneys Named 2019 Missouri & Kansas Super Lawyers®, Rising Stars**

November 14, 2018

**Fifty-Two Armstrong Teasdale Attorneys Named 2018 Missouri & Kansas Super Lawyers®, Rising Stars**

November 14, 2017

**Fifty-Nine Armstrong Teasdale Attorneys Named 2017 Missouri & Kansas Super Lawyers®, Rising Stars**

February 4, 2016

**Firm's Marijuana Law Group Featured on Front Page of Missouri Lawyers Weekly**

July 9, 2014

**E. Calvin Matthews IV, Eric M. Walter Join Armstrong Teasdale**