



## MEGAN J. OCHS

### PARTNER

Kansas City, MO

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Megan Ochs, a member of the firm's Litigation practice group, focuses on many types of litigation matters, including real estate, personal injury, product liability and fire and explosion matters.

Megan defends real estate brokers and agents against a broad spectrum of claims involving alleged negligence, breach of contract, breach of fiduciary duty, fraud, failure to supervise and violations of the Missouri Merchandising Practices Act and Kansas Consumer Protection Act.

In addition to defending real estate brokers and agents in lawsuits, Megan represents clients with respect to consumer complaints filed with the Missouri Attorney General's Office, the Kansas Attorney General's Office, the Missouri Real Estate Commission and the Kansas Real Estate Commission. Megan also proactively helps brokers and agents guard against lawsuits. She speaks regularly regarding various issues in real estate law such as the requirements imposed by the Missouri Real Estate Commission, Kansas Real Estate Brokers' and Salespersons' License Act, and Brokerage Relationships in Real Estate Act, as well as new developments in both Missouri and Kansas case law.

A Certified Fire and Explosion Investigator, Megan also has extensive experience defending energy and utility companies, manufacturers and distributors in product liability (automotive, marine, consumer and industrial products) and catastrophic loss litigation involving fires and explosions. She represents a variety of companies in all aspects of litigation from case inception to trial, in both state and federal court.

Megan additionally represents a variety of professionals, including lawyers, insurance agents and brokers, in legal malpractice and professional negligence lawsuits relating to their provision of professional services.

### EDUCATION

- University of Kansas School of Law (J.D., 2002)
- Kansas State University (B.A., 1999)

### PROFESSIONAL ACTIVITIES

- The Missouri Bar
- Kansas City Metropolitan Bar Association (Public Service Committee)
- The Florida Bar

### SERVICES AND INDUSTRIES

Fire and Electrical Liability  
Litigation  
Mass Tort and Catastrophic  
Loss  
Product Liability  
Real Estate  
Litigation

### ADMISSIONS

Missouri  
Kansas  
Florida  
Arizona  
U.S. District Court, Western  
District of Missouri  
U.S. District Court, District of  
Kansas  
U.S. District Court, District of  
Arizona  
U.S. Court of Appeals, Eighth  
Circuit  
U.S. Court of Appeals, Ninth  
Circuit

- State Bar of Arizona
- Association for Women Lawyers of Greater Kansas City

## ACCOLADES

- [Missouri/Kansas Super Lawyers®](#), Rising Star (2010, 2013-2018)
- Certified Fire and Explosion Investigator

## BACKGROUND

Megan joined Armstrong Teasdale in 2002 after starting as a summer associate. She left the firm in 2003 to practice in Florida, and later in Arizona.

While in Florida Megan's practice focused primarily on medical malpractice defense. In Arizona, she focused on product liability litigation (primarily automotive) and medical malpractice defense. Megan rejoined the firm in 2007.

## EXPERIENCE

### **Dismissal of Claims Against Fire Expert Client**

Secured dismissal of abuse of process and malicious prosecution claims against our client, a fire origin and cause expert who had been retained by an insurance company to investigate a house fire. Based on the expert's opinion that the fire was intentionally set, the insurer filed a declaratory judgment action seeking a determination of no insurance coverage. A jury found against the insurer and in favor of the homeowner.

Subsequently, the homeowner filed suit against the insurer and expert for actual and punitive damages, alleging the expert "instigated" the declaratory judgment action by providing false information because he did not follow the proper scientific methodology contained in NFPA 921. The U.S. District Court for the Western District of Missouri granted the motion to dismiss all claims against the expert based on its finding that the expert did not instigate the declaratory judgment action, the declaratory judgment action presented an actual case or controversy, and the expert's opinion met the requirements of Fed. R. Civ. P. 702 and NFPA 921.

### **Summary Judgment for Transportation Industry Client**

Secured summary judgment for a transportation industry client in a personal injury case in which a delivery truck driver sustained significant injuries. The Judge dismissed the case finding that the client owed no duty to the driver because any risk or danger was created by the driver, not the client.

### **Obtained Motion to Dismiss for Real Estate Agent**

Obtained a motion to dismiss on behalf of a real estate agent in a matter alleging falsities in a Seller's Disclosure. The case was dismissed for failure to state a claim.

### **Summary Judgment in Qui Tam Action Alleging Medicare Fraud**

Obtained summary judgment on behalf of health care client in a qui tam action under the False Claims Act. In this case, the whistle blower sought over \$1 billion, based on all claims submitted. The judgment, regarding allegation of Medicare fraud, was successfully defended on appeal.

