



PAUL L. BRUSATI

PARTNER

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Paul Brusati is an accomplished commercial and appellate litigator, with experience at every level of the Missouri appellate courts and the federal circuits.

His appellate experience ranges from cases involving employment, products liability, tax, medical malpractice, family law, personal injury, real estate and insurance issues, to felony criminal appeals. He has briefed and argued dozens of appeals in state and federal court, including the Supreme Court of Missouri, the Missouri Court of Appeals and the federal appellate courts.

In addition, Paul works as a volunteer attorney for the Missouri Coalition for the Right to Counsel, where he takes on complex public defender appeals pro bono.

Before joining the firm, Paul served as a law clerk to Judge Laura Denvir Stith of the Supreme Court of Missouri.

EDUCATION

- Saint Louis University School of Law (J.D., *magna cum laude*)
 - Order of the Woolsack
 - Deans Honor Scholarship
 - Saint Louis University Public Law Review (Editor)
- University of Missouri (B.A.)
 - Psychology

PROFESSIONAL ACTIVITIES

- Appellate Practice Committee of the Missouri Bar (Vice-Chair of the Continuing Legal Education Sub-Committee)
- [Leadership Council on Legal Diversity \(LCLD\) – Pathfinder](#) (2022)
- The Missouri Bar
- St. Louis County Bar Association
- National Italian American Bar Association

CHARITABLE AND CIVIC INVOLVEMENT

- People with Purpose (Board member)
- Catholic Legal Assistance Ministry

SERVICES AND INDUSTRIES

Litigation

Appellate

Complex Commercial

Litigation

Mass Tort and Catastrophic
Loss

Product Liability

ADMISSIONS

Missouri

Illinois

Kansas

U.S. District Court, Eastern
District of Missouri

U.S. District Court, Western
District of Missouri

U.S. District Court, Southern
District of Illinois

U.S. District Court, Eastern
District of Michigan

U.S. District Court, Western
District of Texas

U.S. District Court, District of
Kansas

U.S. Court of Appeals, First
Circuit

U.S. Court of Appeals, Fourth
Circuit

U.S. Court of Appeals, Sixth
Circuit

U.S. Court of Appeals, Seventh
Circuit

U.S. Court of Appeals, Eighth

- Missouri Coalition for the Right to Counsel

Circuit
U.S. Court of Appeals, Tenth
Circuit
U.S. Court of Appeals,
Eleventh Circuit

ACCOLADES

- *The Best Lawyers in America*® Ones to Watch, Appellate Practice, Commercial Litigation (2022-present)
- [Missouri/Kansas Super Lawyers](#)®, Rising Star (2019-present)
- [Up & Coming Award](#), Missouri Lawyers Weekly (2021)
- Roy F. Essen Memorial Award for Outstanding Work as a Young Lawyer, St. Louis County Bar Association (2020)

BACKGROUND

Prior to working as a law clerk for Judge Laura Denvir Stith, Paul interned at the U.S. Attorney's Office for the Eastern District of Missouri and served as a judicial extern for Judge Roy Richter of the Missouri Court of Appeals, Eastern District. He also served as a summer associate at Armstrong Teasdale.

EXPERIENCE

Secured Dismissal for Banking Client in Loan, Foreclosure Matter

Secured motion to dismiss in St. Louis County Court for a Missouri state-chartered banking client. The plaintiffs claimed several million dollars in damages related to a loan and foreclosure by the client and filed claims alleging breach of contract, breach of implied covenant of good faith and fair dealing, breach of fiduciary duty, wrongful seizure and liquidation in a prior replevin case, and a wrongful foreclosure sale. The plaintiffs voluntarily withdrew their claims and set forth new claims of negligent misrepresentation or concealment, fraudulent misrepresentation or concealment and breach of contract/third-party beneficiary. The Court granted our motion to dismiss based on arguments of res judicata and failure to state a claim, and dismissed the claims with prejudice.

Jury Verdict Affirmed in Slip-and-Fall Case

The Eighth Circuit Court of Appeals affirmed a verdict favorable for our client following a trial in which the jury found the plaintiff 94% at fault for a slip-and-fall following a major winter weather event. The Eighth Circuit affirmed the trial court's ruling excluding portions of the plaintiff's deposition designations, which sought to introduce the cost of the plaintiff's future medical care and information regarding his future surgeries.

Judgment Affirmed on Appeal in Insurance Case

The Missouri Court of Appeals for the Eastern District affirmed a judgment dismissing a case against an insurance company client with prejudice as sanctions for failure to appear. The Eastern District stated the trial court did not abuse its discretion in issuing sanctions and dismissing the case.

Opposition to Temporary Restraining Order for Freight Company

Defended a Canadian freight company against an emergency motion for temporary restraining order (TRO) demanding immediate return of leased trailers. Prepared a response and affidavit under very limited time constraints, and successfully argued in

opposition to the motion for TRO. The judge denied the TRO, which would have caused serious harm to our client and its customers if granted.

Class Action in Large IoT Liability Case for Plaintiff Against Automotive Manufacturer

Serves as lead counsel for three certified plaintiffs' classes totaling an estimated 400,000 to 500,000, in a case alleging that various cars and trucks suffer from a series of cybersecurity defects that render the vehicles susceptible to being hacked in a way that would allow the hacker to remotely control the vehicles' operational and safety systems, including acceleration, braking, steering and ignition. Claims include breach of warranty and violations of various states' consumer protection statutes.

Summary Judgment Affirmed for University Workers in Co-Employee Case

The Missouri Court of Appeals, Eastern District, affirmed summary judgment for three employees of a university who were sued by a co-worker who sustained personal injuries in a fall at work. Summary judgment in the case was granted in 2014, and while the case was on appeal, the relevant law changed three times. In the end, the Court of Appeals held that the clients did not have a duty to protect the plaintiff from risks in the workplace.

Reversal of \$72 and \$55 Million Judgments

Armstrong Teasdale attorneys obtained reversal from the Missouri Court of Appeals of two separate judgments – one for \$72 million and one for \$55 million – against our client in cases alleging that the use of personal care products containing talcum powder caused ovarian cancer. This was the subject of media attention around the country and earned trial lawyer Tom Weaver the title of Litigator of Week in the AmLaw Litigation Daily.

Dismissal of Fraud, MMPA Case Against College Owner

Secured dismissal of a case against the owner of a career training college after the college closed abruptly. The plaintiffs filed suit for fraud and violations of the Missouri Merchandising Practices Act alleging the college and its advertisements knowingly made false representations of student outcomes. After obtaining depositions from the two plaintiffs where they admitted they had no contact with the client, we also obtained sworn affidavits from former employees saying the client had no part in the day-to-day operations of the college or the drafting of its advertisements. The plaintiffs were unable to find witnesses to say otherwise and voluntarily dismissed the case.

Ongoing Indemnity Litigation in Missouri Trial and Appellate Courts

Representation of Fortune 150 corporation in complex commercial indemnity litigation in both Missouri state and appellate courts.

Successfully Defended Packaging Company in Breach of Contract Case Following Acquisition

Successfully defended a packaging company against the alleged breach of a supply agreement entered into following the acquisition of a plastics manufacturing business from the plaintiff. Following the sale, the plaintiff continued to sell a specialty product, which would be manufactured by our client, and sought return of certain equipment used for its production. The suit was filed in state court in North Carolina, removed to federal court in North Carolina, then further transferred to U.S. District Court for the Eastern District of Missouri. Our client filed counterclaims and third-party claims for fraud in connection with the supply agreement. Our client filed a separate action for fraud in connection with the sale of the plastics manufacturing business against the

plaintiff and its principals in U.S. District Court for the District of Delaware. All claims were resolved after mediation for a nominal payment and non-monetary terms.