



## PAUL M. CROKER

### PARTNER

Kansas City, MO

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Paul Croker is a dynamic commercial litigator and a trusted legal adviser to clients facing class action and business litigation throughout the country. His clients range from small family-owned businesses to national companies and are engaged in a variety of different industries including consumer and commercial finance, banking, construction, real estate and technology. He has been selected by his peers as a Rising Star and Super Lawyer in Missouri/Kansas Super Lawyers®.

### Consumer Protection and Business Litigation

Paul handles business litigation involving consumer protection laws, state and federal regulatory matters, unfair competition, contract disputes, employment claims and intellectual property rights. When serving as national counsel, he represents his clients' interests throughout the country in litigation ranging from commercial contract disputes to complex class actions including enforcement and class actions brought by private parties, attorneys general and governmental agencies.

He represents clients in claims involving Fair Credit Reporting Act (FCRA), Telephone Consumer Protection Act (TCPA), Fair and Accurate Credit Transaction Act (FACTA), Electronic Funds Transfer Act (EFTA), Computer Fraud and Abuse Act (CAFA), Fair Debt Collection Practices Act (FDCPA), Lanham Act, trademarks, unlicensed lending, intellectual property infringement and breach of fiduciary duty, among others.

### Class Action Litigation

Paul has successfully resolved class action lawsuits pending locally in Kansas and Missouri, as well as in many other states from California to New York by obtaining dismissals, enforcing class action waivers, compelling arbitration, and obtaining court approval of class action settlements. Generally, these class actions involve consumer protection claims relating to lending laws, unfair competition laws, FCRA, TCPA, FACTA, FDCPA and EFTA.

### Construction

Paul represents construction clients, such as general contractors, subcontractors, design professionals and suppliers. These clients range from family-owned construction businesses to international contractors. Paul has successfully resolved disputes involving construction defects and accidents, design defects, mechanic's liens and lien holder rights, payment and performance bonds, and contract disputes, by obtaining dismissal of claims, judgment in his client's favor, and settlements. He also assists his construction clients with contract review and negotiation.

### Corporate Services

### SERVICES AND INDUSTRIES

Litigation

Financial Services and Banking

Complex Commercial

Litigation

Employment and Labor

Cannabis and Hemp Law

Class Action Litigation

Real Estate, Development,

Construction

### ADMISSIONS

Missouri

Kansas

U.S. District Court, District of  
Kansas

U.S. District Court, Western  
District of Missouri

U.S. Court of Appeals, Third  
Circuit

U.S. Court of Appeals, Eighth  
Circuit

U.S. Court of Appeals, Tenth  
Circuit

U.S. District Court, Eastern  
District of Wisconsin

When transactional needs arise for Paul's clients, he works with Armstrong Teasdale's skilled corporate services attorneys to assist his clients in matters ranging from contract negotiations to the sale, acquisition or expansion of a business. He also assists startup businesses with the formation of their companies, regulatory compliance, and drafting and negotiating contracts with vendors and clients.

## EDUCATION

- University of Kansas School of Law (J.D.)
- University of Kansas (B.S.)
  - Business Administration, concentration in Finance

## PROFESSIONAL ACTIVITIES

- Kansas Bar Association
- Kansas City Metropolitan Bar Association
- Johnson County Bar Association
- The Missouri Bar
- Kansas City Metropolitan Bar Association Leadership Academy

## ACCOLADES

- [\*Missouri/Kansas Super Lawyers®\*](#) (2017-present), Rising Star (2013-2014)
- Kansas City Missouri Bar Association Leadership Academy

## BACKGROUND

Prior to joining the firm, Paul was in private practice at a local Kansas City law firm for approximately 10 years.

## EXPERIENCE

### **Compelled Arbitration in Putative Class Action Against Consumer Website**

Represented a consumer home services website in U.S. District Court for the Eastern District of Missouri against allegations by the plaintiff, on behalf of a putative Missouri class, of Telephone Consumer Protection Act violations. We successfully compelled arbitration of all claims pursuant to the arbitration provision in the website's terms of use.

### **Defense Verdict Regarding Unpaid Overtime Allegations**

Secured a defense verdict in a Jackson County, Missouri, jury trial regarding a former employee's allegations of unpaid overtime, in violation of the Missouri Minimum Wage Law.

### **Successful Resolution of Class Actions and Administrative Actions Against Lenders and Loan Servicers**

Successfully resolved class actions, administrative actions and civil investigative

demands brought by attorneys general and other governmental agencies against lenders and loan servicers in a variety of states including Illinois, Maryland, Massachusetts, New York and Washington.

**Obtained Dismissal of Class Action Alleging Various Lending and Consumer Protection Claims**

Obtained dismissal of a class action lawsuit filed in Maryland Federal Court making claims under the Federal Electronic Funds Transfer Act, Maryland Consumer Protection Act, Maryland Consumer Loan Law, Maryland Commercial Law regarding unlicensed lending, and Maryland Consumer Debt Collection Act.

**Obtained Dismissal of Class Action for Service Provider to Consumer Lender**

Obtained dismissal of a class action lawsuit in California Federal Court and compelled arbitration as to the remaining individual claims in a consumer protection action asserting claims under California and federal law.

**Obtained Dismissal in National Class Action**

Obtained dismissal of a national class action lawsuit filed in New Jersey Federal Court making claims under the Fair Debt Collection Practices Act.

**Summary Judgment for General Contractor in \$8 Million Breach of Contract, Negligence Case**

Obtained summary judgment on behalf of general contractor regarding real estate developer's claims of breach of contract and negligence seeking damages in excess of \$8 million dollars with respect to alleged construction defects.

**Obtained Favorable Judgment for General Contractor**

Obtained judgment in favor of general contractor regarding hotel owner's claims of defective construction.

**Obtained Judgment in Favor of Motorsports Clients**

Obtained judgment in favor of clients, a motorsports promoter and racetrack owner, in a matter that was litigated up to the U.S. Court of Appeals for the Tenth Circuit regarding the \$2.4 million dollar judgment at issue. The Supreme Court of the United States denied the plaintiff's petition for writ of certiorari.

**Prevailed on Claims Against Third-Party Administrator in Insurance Coverage Dispute**

Prevailed on a negligence and breach of fiduciary duty claim against a third-party administrator involving an insurance coverage dispute between two insurers regarding an underlying significant personal injury case.

**Obtained Judgment for Industrial Plant Owner Operator in Wrongful Death Case**

Obtained judgment in favor of an industrial plant owner and operator in a wrongful death action stemming from remediation work on the client's plant and the judgment in favor of his client was affirmed by the U.S. Court of Appeals for the Eighth Circuit.

## **THOUGHT LEADERSHIP**

May 16, 2016

**Supreme Court Holds Plaintiffs Must Allege "Concrete" Injury to Bring a Claim**

