



James L. Moeller Joins Lathrop Gage as Partner

September 18, 2009

Chair of Sonnenschein's Litigation Practice Group in Kansas City Brings 30 Years of Complex Litigation Experience to Lathrop Gage

KANSAS CITY, Mo. – Joel Voran, CEO of Lathrop Gage LLP, is pleased to announce that James L. Moeller has joined the firm as a partner. As an attorney with more than 30 years of experience handling complex litigation in the nation's highest courts, Mr. Moeller will practice in the firm's Litigation division and will bring to the team his extensive experience leading matters in environmental, technology, employment and general commercial litigation.

"Jim Moeller has a great ability to cogently argue his clients' cases at every stage of litigation," said Brian Fries, who chairs the firm's Litigation division. "A consummate advocate for his clients, Jim will be a great asset to the firm and will instantly add to our growing litigation practice." Fries noted that Lathrop Gage has over 160 litigation attorneys, handling cases from coast to coast, with litigation attorneys in all of its offices.

Just a few weeks ago, Mr. Moeller won a major victory in the United States Court of Appeals for the Eighth Circuit involving millions of dollars in claims for relocation and construction of a headquarters facility for the world's largest construction materials provider. The Eighth Circuit Court of Appeals is the last level of review before the United States Supreme Court.

Mr. Moeller has a diverse background in litigation and has been involved in a number of complex cases, including two before the U.S. Supreme Court. He has handled a variety of employment cases, warranty cases, and general commercial cases, and was involved in the Missouri and Kansas portions of the Prudential Sales Practices Litigation. As an example of his diverse practice, in 2008 he successfully resolved complex royalty, environmental, and tort claims arising out of a breach and termination of a long term mining lease, and also successfully resolved product liability claims for a major construction material provider arising out of the catastrophic failure of material handling equipment.

Mr. Moeller served as the lead trial counsel, lead appellate counsel, and Counsel of Record in the U.S. Supreme Court for General Electric Company in a landmark case on federal Superfund (NCP) issues by West's Environmental Law and, prior to *Key Tronic*, was recognized as the leading case in the country on the recovery of attorney fees under CERCLA. *General Electric Company v. Litton Business Systems, et al.*,



715 F. Supp. 949 (W.D. Mo. 1989); *aff'd.*, 920 F.2d 1415 (8th Cir. 1990), *cert. denied*, 113 S.Ct. 1390 (1991).

In advocating for companies in cases arising under federal and state environmental laws, Mr. Moeller has taken eight Superfund cases to judgment and has settled many others. Before going to law school, Mr. Moeller was a computer programmer, and thus has led litigation matters focusing on a wide range of computer hardware and software failures. This background has also been a strength in significant e-discovery, electronic documents and electronic evidence engagements for clients.

In 2007 he completed the successful handling of complex refund and tax claims for a major U.S. bank. These claims arose out of the issuance of \$450 million in tax-free bonds. He led a legal team that used both litigation and pre-litigation mediation to obtain a variety of recoveries and favorable results. He has successfully arbitrated several multi-million, multi-party cases on behalf of multi-national corporations. In one transnational success, he coordinated the creation of a secure web-based repository for containing 4.3 million documents. On the same engagement his legal team coordinated client representatives, experts, and consultants in a number of different countries.

He has also defended Fortune 500 companies on environmental and employment matters throughout his career. In 1998, Mr. Moeller was lead trial counsel, representing two private corporations against the U.S. Government over environmental contamination that the Government generated during World War II. The court's decision allocated full environmental liability to the United States and awarded a declaratory judgment for future costs.

A regular inclusion in *The Best Lawyers in America* and *Missouri and Kansas Super Lawyers*, Mr. Moeller was one of the founding members of Sonnenschein's E-business practice, and has written and taught extensively on technology issues and e-discovery. He served as Vice Chair of the Federal Court Committee, and as President and Trustee of the Kansas City Public Library District. He maintains active memberships in the American Bar Association, Missouri Bar Association, and Kansas City Metropolitan Bar Association. Mr. Moeller graduated *cum laude* from the University of Missouri-Columbia School of Law in 1978, and received his undergraduate degree *magna cum laude* from the University of Missouri-Columbia in political science.

About Lathrop Gage:

A full-service law firm, Lathrop Gage LLP has almost 300 attorneys in 11 offices nationwide – from Los Angeles to New York. In 2009, *Chambers USA* ranked Lathrop Gage's corporate, environmental, intellectual property, litigation, real estate and labor and employment teams among the best in the Midwest. For more information, visit www.lathropgage.com.