

John W. Moticka

He/Him

PARTNER

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Office: St. Louis



John has a national litigation practice focused on class action defense, Lanham Act and related cases, financial institution litigation and product liability litigation.

John regularly handles litigation in St. Louis and across the country for a large consumer products company, regional and national banks, and broadcast media owners. John was managing partner of Stinson's St. Louis office for ten years, until 2016, while maintaining a full-time litigation practice. He is certified to act as a mediator in Missouri's state and federal courts and frequently is retained as mediation counsel in national and international disputes. At the request of the Missouri Supreme Court, John sits on the Attorney Disciplinary Committee for St. Louis County.

EXPERIENCE

Class Actions

Represented Fortune 500 Company in putative nationwide class actions that asserted claims based on alleged chemical risks associated with the use of client's products. Cases settled for nominal amounts after District Court denied nationwide, multistate and single-state class certification motions.

PRACTICES & INDUSTRIES

Business Litigation
Class Action
Structured Finance & RMBS Litigation
Real Estate Litigation

ADMISSIONS

Missouri, 1981
Southern District of Illinois, 1997
Connecticut, 2005
Southern District of Ohio, 2001
Southern District of New York, 2011
Central District of California, 2011
Eastern District of California, 2012
Eastern District of Michigan, 2014
Eastern District of Missouri, 1982
Western District of Missouri, 2011
U.S. Courts of Appeal:
First Circuit, 2004

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John W. Moticka

False Advertising, Copyright, and Other Media-related Claims

Represented market leader diaper pail manufacturer in defense of Lanham Act claims brought by competitor. Representation began following entry of \$13MM verdict against client. District Court ultimately vacated verdict and entered judgment in client's favor. The District Court's rulings were affirmed by the Ninth Circuit.

Financial Services

Represented national bank following entry of multimillion verdict for punitive damages against bank. Parties entered into confidential settlement following appellate court's ruling setting aside verdict and ordering new trial.

Represented national bank following entry of \$60MM judgment against bank in southern Illinois state court. Parties entered into confidential settlement after bank for the first time raised potentially dispositive arguments in post-trial motions.

Represented national bank in its claims against competitor bank and seven former employees based on competitor bank's "lift out" of employees and formation of subsidiary that competed with client's investment subsidiary. Client received eight-figure settlement during second week of trial.

RECOGNITIONS

Recognized in *The Best Lawyers in America*® list, 2023-2025

Benchmark Litigation, Local Litigation Star

Listed in the 2013-2017 editions of *Chambers USA: America's Leading Lawyers for Business* for Litigation: General Commercial. In the 2014 edition, sources say he "garners praise from clients for his effective partnership working alongside in-house counsel on a range of business litigation matters."

Eighth Circuit, 1987

Ninth Circuit, 2013

EDUCATION

University of Missouri - Columbia, J.D., 1981

University of Missouri - Columbia, B.J., 1978

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John W. Moticka

Missouri & Kansas Super Lawyers®, Business Litigation, 2010-2019

PROFESSIONAL & CIVIC ACTIVITIES

American Bar Association

The Missouri Bar

Bar Association of Metropolitan St. Louis

Midwest Innocence Project

NEWS

Law360's Legal Lions of the Week Features Stinson Attorneys, Highlights Client Success Involving PFAS Litigation

02.19.2024

Stinson Attorneys Recognized in the 17th Edition of *Benchmark Litigation*

10.05.2023

Stinson Attorneys Named Litigation Stars by *Benchmark Litigation*

10.06.2022

152 Stinson Attorneys Selected to the 2023 *Best Lawyers in America* List

08.18.2022

Stinson Attorneys Named Litigation Stars by *Benchmark Litigation*

10.26.2021

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