

# John R. Munich

## PARTNER

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Direct: 314.259.4555

Office: St. Louis



**John has over 30 years of first-chair trial and appellate experience across the nation for some of the largest companies in the world.**

John has successfully represented clients in some of the most significant lawsuits heard in Missouri and elsewhere, including his role as lead counsel in *Missouri v. Jenkins*, one of the more noteworthy constitutional cases decided by the United States Supreme Court in the last 25 years. He concentrates his practice on complex business and commercial trials and appeals, constitutional law cases and internal and regulatory investigations. As chair of the firm's Business and Commercial Litigation practice, he marshals a deep arsenal of resources to represent companies faced with the most complex litigation challenges.

John draws on his significant government experience when representing clients. As Chief of Litigation, and later Deputy Attorney General for the State of Missouri, he supervised all of the state's civil litigation and helped create and supervised Missouri's Medicaid Fraud Control Unit in the Office of the Attorney General. As an Assistant U.S. Attorney for the District of Columbia, he defended the United States and its agencies in complex constitutional and government contracts cases and prosecuted civil health fraud matters.

## PRACTICES & INDUSTRIES

- Education Funding Litigation
- Business Litigation
- Business Ownership Disputes
- White Collar Criminal Defense & Special Investigations

## ADMISSIONS

- Missouri, 1981
- District of Columbia, 1984
- Georgia, 2020 (Inactive)

## EDUCATION

- St. Louis University, J.D., *cum laude*, 1981
- St. Louis University, A.B., Political Science, *summa cum laude*, 1978

## CLERKSHIPS

- Honorable Edward L. Philippine, former Chief Judge of the United States District Court for the Eastern District of Missouri

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## John R. Munich

In addition to representing clients in complex business and commercial disputes nationwide, John has handled regulatory and governmental investigations, including Foreign Corrupt Practices Act matters and those involving health care providers and other regulated businesses. John leads Stinson's Education Funding Litigation practice group, which has handled state school funding lawsuits in over 15 states. John also has successfully defended a number of clients in qui tam lawsuits brought under the False Claims Act.

### EXPERIENCE

#### Commercial Litigation

Recovered \$25 million through an early settlement of a fraud claim brought by an estate against a former business partner. The case was settled after several favorable arbitration rulings.

Brought a breach of contract claim on behalf of an environmental remediation firm against a former joint venture partner. John's client settled the matter on favorable terms after defeating multiple motions to dismiss its claims.

Recovered a favorable settlement for a major national food distributor in a tainted ingredients case against a supplier. The case was resolved shortly after the filing of the lawsuit.

Recovered a full award of his developer client's damages in an action involving a partially completed redevelopment project.

Successfully defended a client in multimillion dollar breach of contract/preliminary injunction proceedings (*Pinnacle Entertainment v. Land Clearance and Redevelopment Auth. of St. Louis* (E.D. Mo.)).

Defended a large, Midwestern bank in a lawsuit arising out of a failed \$65 million credit facility. (The matter was settled on terms favorable to the bank following a motion for summary judgment.)

Represented a large, multinational company and one of its top executives in TRO proceedings arising out of the company's hiring of the executive. (The matter was resolved favorably for the firm's client.)

Successfully prosecuted a civil RICO claim against legal and health care professionals relating to the submission of fraudulent workers compensation claims. Settlement on the eve of trial resulted in multimillion dollar payments to John's client. State of *Missouri v. Roussin, et al*, 66 F.3d 332 (8th Cir. 1995) (decided without opinion.)

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## Constitutional Litigation

Successfully defended the State of New York in *Maisto v. State of New York*, a school funding lawsuit in which a number of upstate school districts sought an order requiring the State to add hundreds of millions in new funds to the New York public education budget.

Successfully defeated a class certification motion in a First Amendment suit challenging the practices of the Nebraska State Bar Association. (*Lautenbaugh v. Nebraska State Bar Association* (D.Neb.)).

Successfully argued before the United States Supreme Court for the State of Missouri in *Missouri v. Jenkins*, 515 U.S. 70 (1995), one of the leading Supreme Court school desegregation cases in recent years in which the state's victory represented an immediate savings to the state of over \$90 million per year. The Petition for Certiorari and Certiorari Reply Brief filed by John in *Jenkins* won the Best Brief Award in 1995, given annually by the National Association for Attorneys General for the best written advocacy by a state attorney before the United States Supreme Court.

Successfully tried *Davis v. State of South Dakota*, a multi-week trial of a school funding lawsuit in Hughes County, South Dakota Circuit Court. The trial court entered judgment for John's client on all counts of the complaint.

Successfully led litigation establishing the right of the St. Louis Public Schools Special Administrative Board to assume governance over the St. Louis city schools.

Advised a private religious school in its efforts to convert itself to a public charter school.

Successfully tried *Committee for Education Equality, et al. v. State of Missouri*, a school funding lawsuit described as "one of the largest and most complex trials" in Missouri's history.

Successfully defended the Missouri Non-Partisan Court Plan in the trial and appellate courts in a Voting Rights Act challenge to Missouri's judicial selection process.

For the State of Michigan, successfully tried a school finance/desegregation case involving the Benton Harbor, Mich., school district. Following a four-week trial, the court ordered the state's release.

John's notable professional activities and accolades include:

John served as law clerk to the Honorable Edward L. Filippine, former Chief Judge of the United States District Court for the Eastern District of Missouri.

He is a Faculty Member for the National Institute of Trial Advocacy.

## John R. Munich

John served as a Commissioner on the Missouri Ethics Commission from 2012-2014 and Vice Chair from 2014-2016.

John frequently speaks and writes on topics related to education adequacy lawsuits and their effects on state budgets, school funding, accreditation requirements and federal mandates. Other topics include charter schools and school choice, and other related issues.

### RECOGNITIONS

Recognized as "Lawyer of the Year" in the 2019 & 2021 editions of *The Best Lawyers in America*® for Education Law in St. Louis

*Benchmark Litigation*, Local Litigation Star, 2015 - 2023

Named for Commercial Litigation and Education Law, *The Best Lawyers in America*, 2007 - 2024

Selected as a "Lawyer of the Year," *Missouri Lawyers Weekly*, 2008

Recognized for Business Litigation in *Missouri & Kansas Super Lawyers*, 2010 - 2020

AV rating from *Martindale Hubbell* (highest rating awarded)

### PROFESSIONAL & CIVIC ACTIVITIES

Legal Services of Eastern Missouri, Board of Directors, 2019 – Current

American Bar Association

The Missouri Bar

Bar Association of Metropolitan St. Louis

Great Circle "Starry Starry Night" Fall Fundraising Event, Co-Chair, 2011-2012

Edgewood Children's Center, Board Member, 2008-Present

Moto Museum Advisory Board, 2009

Leadership St. Louis, 2000-2001

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## NEWS

Munich Co-Authors Book Examining U.S. Education Policy, School Finance and Resources

01.19.2024

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

10.05.2023

175 Stinson Attorneys Selected to the 2024 *Best Lawyers in America* List

08.17.2023

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

John Munich Named to Top 30 POWER List for Education Attorneys by *Missouri Lawyers Weekly*

12.27.2021

Stinson Attorneys Named Litigation Stars by *Benchmark Litigation*

10.26.2021

103 Stinson Attorneys Selected to the 2022 *Best Lawyers in America* List

08.19.2021

Stinson Attorneys Named to 2020 Kansas & Missouri *Super Lawyers* and Rising Stars

11.16.2020

112 Stinson Attorneys Selected to the 2021 *Best Lawyers in America* List

08.20.2020

Nineteen Stinson Attorneys Named 2021 Lawyers of the Year by *Best Lawyers in America*

08.18.2020

## SPEAKING ENGAGEMENTS

"What Does the Company Know? Selecting/Preparing the Company Designated Deposition Witness," ACC STL 2022 Corporate Counsel Institute, May 2022

"Navigating the Straits of the FCPA - One Client's Journey from Investigation to Declination," ACC STL 2020 Corporate Counsel Institute, June 2020

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## John R. Munich

"A-Z of Effective Internal Investigation," American Public Power Association Land & Regulatory Conference, Long Beach, California, October 2016

"Internal Investigations' Recurring Issues and Best Practices," St. Louis Chapter of the Association of Corporate Counsel CLE, St. Louis, Missouri, August 2016

### PUBLICATIONS

"School Resources, the Achievement Gap, and the Law: Reconsidering School Finance, Policies, and Resources in US Education Policy," January 2024

"Internal Investigations: Obtaining the Best Outcome When Issues Are Uncovered," *ACC St. Louis Newsletter*, October 27, 2017

"Internal Investigations: Protecting the Company During the Investigation," *ACC St. Louis Newsletter*, December 20, 2016

"*Missouri v. Jenkins*: A Remedy Without Objective Limitation," chapter in "The Pursuit of Racial and Ethnic Equality in American Public Schools," *Michigan State University Press*, December 2014