

Thomas H. Davis Wins Missouri Pro Bono Publico Award for Landmark Case

Press Release

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Stinson LLP Partner [Thomas H. Davis](#) is recognized as a Missouri Bar Association Pro Bono Publico Award winner for his work on a series of cases and an appellate decision that helped families in need, while changing how Missouri attorneys can better support Legal Aid clients.

When the 12 individuals, some children, covered with swollen and red bedbug bites and sleeping on mattresses blackened with bedbug feces, could not get their landlord to respond and the tenants had no financial means to move from their homes, they turned to Legal Aid of Western Missouri for help. As the cases got underway and became more involved, Stinson teamed up to assist.

"Babies had bites; one girl was embarrassed and wore long sleeve shirts to school to cover her bites; and the sleepless parents were beside themselves because the landlord promised to take action, but those promises were illusory because he never did so in any effective manner," said Davis. "I partnered with Legal Aid attorney Jesi Stanley who wanted to serve and support these families, and I was inspired by Jesi's profound empathy for the clients and her determination to achieve a result that would make a lasting impact. We ultimately used the Missouri Merchandizing Practices Act (MMPA), in conjunction with other claims, so attorneys might have an example to follow to claim attorney fees and cover costs and expensive expert fees, enabling more attorneys to take on such cases. I am thankful to Jesi Stanley at Legal Aid for her dedication and support, and am proud to have helped these families."

The results not only included a positive verdict and settlements for each family, totaling \$155,000, which enabled them to obtain some compensation for what they endured and recover expenses for new beds and infested belongings, but also an appellate decision that enables even pro bono and Legal Aid attorneys to recover attorney fees under the MMPA. Plaintiffs in one case ultimately obtained an award of approximately \$234,000 in attorney fees.

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One of the prohibiting factors for attorneys taking on such cases is the time and expense which may be involved, including for expert fees, to support the case. [This decision](#) by the Western District Court of Appeals established that attorney fees can be recovered even by pro bono counsel: "Here, Stinson LLP partnered with Legal Aid of Western Missouri to litigate this case on a pro bono basis . . . A holding that private law firms who agree to take on these cases are prohibited by law from receiving recourse for the time expended because they are acting on behalf of Legal Aid could have a chilling effect on the willingness of lawyers and law firms to take on this representation [and] be contrary to the fee shifting purpose of helping secure enforcement of the MMPA."

"These families are so grateful, and also important is the legal precedent that now concretely establishes that pro bono attorneys can recover fees associated with this type of case work. Hopefully, more attorneys will be encouraged to take on these kinds of cases and also to help to support Legal Aid clients, the way that Stinson and Tom Davis have done," said Jesi Stanley, Legal Aid of Western Missouri. "Because of Tom's deep commitment to serving the underprivileged, and his extraordinary selflessness throughout this challenging and lengthy litigation, the outcome of these cases has significantly impacted the lives of each one of our clients, but has also changed the landscape of landlord/tenant law in Missouri."

The Pro Bono Publico Award is presented annually to just four individuals or organizations, one each from the St. Louis and Kansas City areas, and two from outstate Missouri, who have within the past year, rendered outstanding pro bono service to indigent or low-income persons in need of legal assistance. The 2019 awards were presented virtually today during the Missouri Bar's Annual Meeting.

Thomas H. Davis is a partner at Stinson LLP serving and supporting clients in all levels of litigation, including product liability, business and commercial litigation. He is the leader of the [Product Liability Practice Group](#).

CONTACT

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