



## Booker Shaw

Partner

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### PRACTICES

- Appellate Litigation
- Business Litigation

### EDUCATION

- Catholic University of America, J.D.
- Southern Illinois University, B.A.
- National Judicial College
- American Academy of Judicial Education
- University of Missouri, Center for the Study of Dispute Resolution

### ADMISSIONS

- Illinois
- Missouri
- Missouri USDC, Eastern District
- Missouri USDC, Western District
- US Ct Appeals, 8th Circuit (Covers AR, IA, MN, MO, NE, ND, SD)

### AFFILIATIONS

- The Theodore McMillian American Inn of Court
- U.S. District Court, Eastern District of Missouri, Alternative Dispute Resolution Committee
- American Bar Association
- Lawyers Association of St. Louis
- Missouri Bar Association
- Mound City Bar Association
- National Bar Association, Judicial Council

Retired Judge Booker Shaw is a skilled litigator and appellate advocate who brings valuable insight and perspective gained from his more than 25 years on the bench.

His knowledge of current judicial thinking at the trial and appellate levels on a wide range of issues enhances his ability to argue a client's case more persuasively and to craft the most effective strategy.

Judge Shaw served on the Missouri Court of Appeals, Eastern District, for seven years, including one year as chief judge. While on the appellate bench, he participated in more than 1,000 cases and authored 141 appellate opinions on a variety of cases, from medical negligence and nuisance/sovereign immunity to commercial transactions, contracts and personal injury. He also served as a Special Visiting Judge of the Missouri Supreme Court. As a former trial judge in the 22nd Judicial Circuit, from 1983 until 2002, Judge Shaw presided over more than 500 trials.

Prior to his judicial posts, Judge Shaw worked at the U.S. Department of Justice, the Federal Trade Commission and the St. Louis Circuit Attorney's Office, where he prosecuted over 50 jury trials. In addition to his decades of public service as a distinguished jurist, Judge Shaw continues to give back to the legal profession as a mentor and teacher.

### Experience

#### • Notable cases

Judge Shaw has briefed and argued numerous cases before the U.S. Circuit and District Courts, the Missouri Supreme Court, Courts of Appeals and Circuit Courts. In 2011, he served as a member of the trial team representing Lorillard Tobacco in the defense of a \$500 million cost-recovery lawsuit brought by Missouri hospitals in the City of St. Louis. After a three-month trial, the jury returned defense verdicts on all claims.

Judge Shaw helped Philip Morris defeat a \$1.5 billion class action case in a 2016 jury trial in the City of St. Louis, where he was a trial team member. The case turned on whether Philip Morris deceived some 400,000 Missouri smokers about the safety of Marlboro Light (Lights) cigarettes. After just 30 minutes of deliberation, a trial that lasted 39 days ended with a total defense verdict.

## EMPLOYMENT

- Thompson Coburn LLP 2009-Present
- Missouri Court of Appeals 2002-2009; Chief Judge 2006-2007
- Circuit Judge, 22nd Circuit 1995-2002
- Associate Circuit Judge, 22nd Circuit 1983-1995
- Circuit Attorney's Office 1976-1983
- Federal Trade Commission 1975
- U. S. Department of Justice 1974

## COMMUNITY

- Member, Missouri Committee on Jury Instructions and Charges - Civil
- Mentor St. Louis
- NAACP
- Second Presbyterian Church, Elder
- Urban League of Metropolitan St. Louis

In 2015, he helped secure a critical defense win in St. Louis for Pfizer in *Pesante v. Pfizer*, the first of several trials over birth defects allegedly caused by Zolof. The proceeding in St. Louis Circuit Court was the first in dozens of similar cases lodged against the drug maker in St. Louis and in Philadelphia, and the plaintiff's attorneys selected what they considered to be their best case for the first trial. In addition to leading several pretrial motions that achieved significant evidentiary rulings, Judge Shaw was responsible for questioning several key witnesses. The jury deliberated for less than two hours before siding with Pfizer by a vote of 11-1.

He argued before the Supreme Court of Missouri on behalf of a utility company. A county argued that the company should be required to pay the cost of relocating gas lines, located in utility easements, when the county undertakes road improvements. The Supreme Court reversed the trial court and ruled in favor of our client in a case that impacts utilities across the state.

In *Gibbs v. Blockbuster*, the Missouri Court of Appeals reversed a \$2 million false imprisonment judgment against Blockbuster. Judge Shaw argued, among other things, that the trial court committed reversible error by granting partial summary judgment against Blockbuster on a disputed agency issue.

In an automotive product liability case, Judge Shaw successfully argued to the Missouri Court of Appeals that the trial court properly limited plaintiff's proffer of claimed similar incidents, in their attempt to establish our client's knowledge of the alleged vehicular defect.

## Presentations

- "Tough Evidence Issues at Trial"; Bar Association of Metropolitan St. Louis, May 2014
- "Mastering Appellate Advocacy: Oral Argument"; Bar Association of Metropolitan St. Louis, February 2014
- "Game Plan For Effective Voir Dire"; Missouri Organization of Defense Lawyers, April 2012
- "Civil Trial and Appellate Practice"; The Missouri Bar Association, May 2011, May 2012, May 2013, May 2014

## Recognitions

- Mentor Award, 2015
  - Missouri Lawyers Weekly
- Diverse Business Leader Award, 2010
  - St. Louis Business Journal
- Legal Legend Award, 2018
  - Mound City Bar Association

