



DARCI F. MADDEN

Partner

St. Louis

E: darci.madden@bcplaw.com

T: [+1 314 259 2366](tel:+13142592366)

BIOGRAPHY

Darci defends clients against class actions, complex business litigation, and product liability suits. She serves as co-leader of the firm's Data Privacy, Telecommunications and Collections Class Action Team. She has represented clients against claims alleging defects in medical devices, suits arising under federal and state antitrust laws and the Employee Retirement Income Security Act (ERISA), class action claims arising out of a variety of health insurance-related issues, and shareholder derivative suits. She has conducted motion, trial and appellate practice in multiple state and federal courts across the country. She represents clients from a broad range of industries including medical devices, agribusiness, health care, financial services, and insurance.

As a founding member of the firm's Electronic Discovery Unit, Darci has lectured on the Federal Rules of Civil Procedure relating to disclosure of electronically stored information. She serves on the

St. Louis office Mentoring Program Committee. She is also the chair of the national steering committee for BCLP's women lawyers' affinity group, BCLP Women.

Darci is licensed in Missouri and Illinois, as well as in a number of federal district and appellate courts. She is an active member of DRI and the Federal Bar Association.

AREAS OF FOCUS

- Data Privacy, Telecommunications & Collections

CIVIC INVOLVEMENT & HONORS

- Thomson Reuters, Stand-out Lawyer, 2024
- Chair, Governing Board of St. Andrew's Resources for Senior Systems (2020 - present)
- Member, Executive Committee of the Governing Board of Metro Theater Company (2018-present)
- Member, Alumni Schools Committee, Yale Club of St. Louis (1996-present)
- Missouri Lawyers Weekly, Up & Coming, 2011
- Leadership St. Louis Class of 2016-2017

COMMITTEE CONTENT

Chair, BCLP Women

BCLP St. Louis Mentoring Program Committee

ADMISSIONS

- Illinois, 2000
- Missouri, 1999

- United States Courts of Appeals for the Second, Fourth, Seventh, Eighth, Ninth and Eleventh Circuits
- United States District Courts for the Central, Southern and Northern Districts of Illinois
- United States District Courts for the Eastern and Western Districts of Missouri
- United States District Court for the District of Colorado

EDUCATION

Washington University, J.D., Order of the Coif, 1999

Yale University, B.S., *cum laude*, with distinction, 1996

RELATED PRACTICE AREAS

- Class Actions & Mass Torts
- Financial Services
- Litigation & Dispute Resolution
- Consumer Fraud
- ERISA & ESOP
- Insurance (Class Actions)
- Pharmaceutical & Medical Devices (Class Actions)
- Class Actions
- Antitrust Class Actions
- Shareholder Securities and Mergers & Acquisitions
- Food, Ag & Nutrition (Class Actions)
- Employment Class & Collective Actions
- Data Privacy, Telecommunications & Collections
- Retail & Consumer Products
- Business & Commercial Disputes
- Securities Litigation and Enforcement

EXPERIENCE

- Won summary judgment and subsequent appellate affirmance by the Ninth Circuit on behalf of large international retailer and private label manufacturer in putative class action suit alleging deceptive labelling of glucosamine dietary supplements
- Won decertification of class of purchasers of glucosamine dietary supplements in a separate lawsuit for another international retailer and private label manufacturer

- Served as lead appellate preservation and legal issues counsel in 10-week products liability trial for leading agribusiness company
- Won dismissal of putative class action claims brought in Florida and Illinois against food manufacturer alleging deceptive labelling
- Won dismissal and appellate affirmance by the Eleventh Circuit of claims alleging deceptive labelling of HVAC units. *Warren Technology v. UL LLC*, Case No. 21-11168 (11th Cir. 2021)
- Obtained dismissal and affirmance by the Eighth Circuit of series of putative class action lawsuits alleging that retailers imposed an illegal “pink tax” by charging more for products targeted at female consumers, on behalf of large international retailer. *Schulte v. Conopco. Inc.* 997 F.3d 823 (8th Cir. 2021)
- Represented large research university against claims alleging that innovative surgical program was deceptively advertised
- Obtained dismissal and affirmance by the Seventh Circuit of breach of contract claims. *Henneberger v. Ticom Geomatics, Inc.*, 694 Fed.Appx. 419 (7th Cir. 2017)
- Obtained summary judgment on Ponzi scheme claims in putative class action against PNC Bank
- Representing transportation broker against claims by independent contractor drivers alleging wage and hour violations, including successfully obtaining reversal of certification of issue class before the United States Court of Appeals for the District of Columbia Circuit
- Representing popular mountain resort company in consolidated putative class actions arising out of closures relating to COVID-19, including obtaining dismissal of complaint and affirmance of dismissal by the United States Court of Appeals for the Tenth Circuit

RELATED INSIGHTS

Insights

Dec 15, 2023

Not to be a Grinch, but... is your business TCPA compliant? (with apologies to Dr. Seuss)

Awards

Aug 17, 2023

The Best Lawyers in America® 2024