



## **CHRISTOPHER J. SCHMIDT**

**Partner**

**St. Louis**

**Partner and Global Practice Group Leader - Class Actions and Mass Torts**

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## **BIOGRAPHY**

Christopher J. Schmidt is a trial lawyer and class action lawyer whose practice focuses on winning high-stakes trials, defeating class actions, and implementing the strategy to prevail in complex, high-risk litigation. Chris is the lead relationship lawyer for a number of national clients, including Fortune 200 companies, publicly traded companies, professional sport franchises in the NHL, MLB and NBA, prominent universities, the National Collegiate Athletic Association (NCAA), and the National Center for Missing and Exploited Children.

## **CIVIC INVOLVEMENT & HONORS**

- Recognized nationwide in *Chambers USA* as one of the best lawyers in the country in the area of Sports Law since 2022.
- Recognized as one of the "Best Lawyers in America" by his peers.
- One of three lawyers in the State of Missouri to be named as a "Legal Champion" in 2017.
- Numerous national television appearances as an expert on international child abductions, including appearances on NBC's Nightly News, CNN, and Fox News.
- Received recognition and awards from the National Center for Missing and Exploited Children and the US Department of State.
- Received the Justice Award from The Foundation for Improvement of Justice for his commitment to protecting children from international child abduction.

## SPORTS ARBITRATION & LITIGATION

Chris co-leads BCLP's Sports Litigation Practice and is known for his representation of sports organizations at the collegiate (NCAA) and professional (NHL) levels regarding novel neurodegenerative claims. He is national coordinating counsel for the NCAA's nationwide sports injury claims. In addition to the NCAA, Chris served as lead counsel for all of the clubs in the National Hockey League MDL concussion/CTE litigation. He maintains an active commercial disputes practice and serves as lead trial counsel in connection with sports-related arbitrations, including representing professional sports franchises in major ownership disputes, executive disputes, player arbitrations, and termination of professional athlete arbitration agreements. Chris also handles other commercial disputes for the firm's sports clients, including professional stadium disputes, top-tier lease disputes, and other third-party disputes involving various aspects of their businesses.

## CLASS & MASS ACTIONS

Chris has defended clients in multiple high-stakes class action matters across industries. His experience encompasses all aspects of class and mass actions, including opposition to class certification, dispositive motions, critical depositions, expert strategy, class certification hearings, trial, complex settlement strategies and administration in state and federal courts around the country.

Chris is especially adept at distilling complex expert issues and conveying evidence-based opinions in the courtroom. Chris knows that cases are not won on the experts alone, and invests time early in the case to learn and tell his client's fact-based story.

## PRO BONO, CIVIC & FIRM SERVICE COMMITMENT

Chris has maintained an active *pro bono* practice throughout his career and has been lead trial counsel on a wide variety of high-profile cases, including an asylum case for a victim of human sex-trafficking, the successful defense of a young man accused of murder, and numerous international child abduction cases. He leads the firm's commitment to helping children who are victims of international child abduction and serves as the firm's primary contact with the U.S. State Department.

Chris is committed to making a difference by serving on various charitable boards, including the Great Rivers Greenway Foundation where he is co-leading the firm's *pro bono* effort to build the *Brickline Greenway* in St. Louis. This project has been recognized as one of the most ambitious, inclusive efforts to remake the core of an American city in decades.

Chris has a long history of firm service. In addition to leading the Firm's Class Action & Mass Torts Practice Group, he has served on the firm's Project Advance advisory group, Partner Advisory Board, and the Recruiting Committee, where he worked to expand recruitment of the best and brightest diverse talent in the country.

## SPOKEN LANGUAGES

- Spanish

## ADMISSIONS

- Illinois, 2008
- Missouri, 2002

## EDUCATION

Saint Louis University, J.D., *magna cum laude*, 2002

University of Notre Dame, B.A., 1996

## RELATED CAPABILITIES

- Class Actions & Mass Torts
- Financial Services
- Banking & Finance Disputes
- Financial Institutions
- Litigation & Dispute Resolution

- Finance
- Sports, Media & Entertainment Litigation
- Collegiate Sports
- Multi-District Litigation & National Coordinating Counsel
- Employment Class & Collective Actions
- Sports (Class Actions)
- Data Privacy, Telecommunications & Collections
- Toxic Tort
- Catastrophic Accidents
- Consumer Fraud
- Consumer Products
- Food, Ag & Nutrition
- Insurance (Class Actions)
- Pharmaceutical & Medical Devices (Class Actions)
- Pharmaceutical & Medical Devices (Mass Torts)
- Higher Education
- Enforcement
- Litigation
- Regulation
- Class Actions
- Business & Commercial Disputes
- Mass Torts & Product Liability
- Sports, Media & Entertainment
- Contract, Endorsement & Celebrity Representation
- Anti-Doping
- Sports & Event Venue Real Estate Infrastructure & Operation
- Naming Rights & Sponsorship
- Sports & Entertainment M&A
- Entertainment Industry
- Sports & Event Financing
- Olympic & National Governing Bodies
- Professional Sports Team Representation
- Healthcare & Life Sciences
- Antitrust Class Actions
- Shareholder Securities and Mergers & Acquisitions
- Food, Ag & Nutrition (Class Actions)
- Consumer Finance Disputes

# EXPERIENCE

## SPORTS ARBITRATION AND LITIGATION

- Lead trial counsel on behalf of the NCAA in a multi-week jury trial in Philadelphia, Pennsylvania, where the Court grant directed verdict at the close of plaintiffs' evidence.
- Lead arbitration trial counsel in a number of confidential ownership and arbitration disputes for various NHL Clubs before the NHL Commissioner. Includes defeating challenges to contractual provisions compelling high-stakes, confidential disputes to arbitration.
- Lead counsel in confidential arbitration regarding termination of athletic sponsor agreement relating to doping allegations.
- National Coordinating Counsel and trial counsel for the National Collegiate Athletic Association (NCAA) for their nationwide portfolio of sports-related claims, with primary responsibility for expert deposition and trial strategy. Chris had an active role guiding the trial strategy in the first jury trial to go to verdict anywhere in the country on the theory that football causes long-term brain disease. After a four-week trial, the jury returned a verdict in favor of the NCAA and found the NCAA was not negligent.
- Lead counsel in defeating class certification in federal district court for non-party U.S. clubs in the National Hockey League MDL concussion litigation.
- Lead counsel for litigation matters for several professional sports franchises and the NCAA in a variety of concussion litigation matters.
- Lead counsel in contentious business dispute stemming from the termination of sports agency.
- Conducted internal investigations and best practice audits of major athletic programs at leading universities.
- Lead trial counsel in a lawsuit by the St. Louis Cardinals against their landlord with respect to various issues under their ballpark lease for one of their minor league teams.

## CLASS & MASS ACTIONS

- Defeated class certification of a putative class of plaintiffs seeking to certify a consumer fraud class action against a workplace solutions company in the Northern District of California. *Circle Click v. Regus Management Group LLC*, 2016 U.S. Dist.
- Defeated novel Fair Credit Reporting Act (FCRA) and California consumer fraud class action alleging it was inaccurate for the servicer to report the plaintiff's loan delinquencies due to their

spouse's bankruptcy discharge. *Gray v. Ocwen*, 9th Circuit.

- Prevailed on appeal to the Eighth Circuit establishing law that defendants can demonstrate amount in controversy and create federal jurisdiction under the Class Action Fairness Act by providing evidence of the "pot" of money from which damages might be calculated. *Raskas et al. v. Johnson & Johnson et al.*, 719 F.3d 884. After reversal, the district court struck all class allegations and dismissed the false labeling claims.
- Secured dismissal with prejudice of Truth in Lending Act (TILA) class action in the Northern District of Illinois for a financial services client. *Kier v. Ocwen Loan Servicing, LLC*, 122 F.Supp.3d 786.
- Defeated a consumer fraud class action filed against a financial services client at the summary judgment stage in state court. *Clepper v. Vinson Mortgage Services*,.
- Obtained the first lone pine order in a toxic tort class action in the Eastern District of Missouri, which requires plaintiffs to make a basic, prima facie showing of the elements of their claim. *Altidor v. Mo. Metals, LLC*, 2013 U.S. Dist.
- Defeated TCE/PCE (chlorinated solvents) plume class action and individual claims from old industrial facility.
- Defended multiple class and mass claims stemming from a plume of hydrocarbons from old refinery operations.
- Defended industrial and refinery clients in complex, confidential reallocation proceedings, and other cost recovery environmental claims, including CERCLA and Superfund cases.

## COMPLEX BUSINESS & INTERNATIONAL DISPUTES

- Obtained an injunction, within one week of filing a lawsuit, against a senior executive who misappropriated trade secrets and confidential information.
- Led the on-the-ground Foreign Corrupt Trade Practices investigation in Mexico for a major public company.
- Lead counsel in national and international distributor termination disputes.
- Guided a major company through an import/export dispute in Argentina.
- Defended claims of fraud against a financial institution seeking to enforce commercial guaranty in failed real estate development.

- Prevailed in complex trade secrets complaint involving proprietary automotive assembly line technology.
- Lead counsel in a breach of contract case involving a national franchise agreement.
- Lead counsel in international arbitration complex business dispute for industrial company.

## PRO BONO

- Lead Appellate Counsel for the National Center for Missing and Exploited Children.
- Won five federal trials under the Hague Convention on the Civil Aspects of International Child Abduction.
- Obtained asylum for a victim of human sex trafficking on appeal to an Immigration Judge.
- Represented multiple refugees against abusive landlord.

## RESOURCES

### PUBLICATIONS

- "Power Players: BCLP", *Sports Business Journal*, October 25, 2021
- "What Are the Effects of *Dart Cherokee* on Eighth Circuit Removal Practice?," *American Bar Association Litigation Section Newsletter*, November 30, 2015

## RELATED INSIGHTS

Insights

Aug 15, 2024

### **Class Representatives in the United States**

The efficiency of the US class action regime hinges upon a core procedural mechanism: the class representative.

Insights

Nov 28, 2023

### **Mass settlements from a U.S. perspective**

Awards

Aug 17, 2023

### **The Best Lawyers in America® 2024**

Insights

Jun 28, 2023

## **Does the Supreme Court's extensive personal jurisdiction jurisprudence risk going off the rails?**

The Supreme Court held on Tuesday that a corporation can be subject to personal jurisdiction in a state in which it has registered to do business—solely on that basis, and regardless of the extent of its operations in that state. In *Mallory v. Norfolk Southern Railway Co.*, 600 U.S. \_\_\_\_ (2023), the Court affirmed a 1917 precedent that the lower court held had been implicitly overruled by *Daimler* and other key cases on personal jurisdiction. The Court seemingly distinguished those cases, holding that state statutory schemes that require out-of-state corporations to agree to be considered as in-state corporations via registration functions as consent to be subject to suit in those states separate from a contacts-based personal jurisdiction analysis. While the ruling is limited to Pennsylvania's unique statute, this decision could have profound effects if other state statutes are similarly interpreted and/or other states adop...

Awards

Jun 08, 2023

## **Legal 500 US 2023**

News

Jun 01, 2023

## **Chambers USA 2023**

News

Jan 09, 2023

## **Partner quoted in 'Corporate Counsel' on Southwest Airlines class action waivers**

News

Nov 28, 2022

## **BCLP represents NCAA in landmark CTE jury trial win**

Awards

Sep 21, 2022

## **Partner honored for pro bono work by Foundation for Improvement of Justice**