



BETH A. BAUER

Partner

130 North Main Street
Edwardsville, IL 62025
618-307-1200

bbauer@heplerbroom.com

AREAS OF PRACTICE

- Appellate
- Class Action
- Pharmaceutical & Medical Devices
- Products Liability
- Talc
- Tobacco

EDUCATION

- Saint Louis University Law School, Juris Doctor, *cum laude*, 2000
- Washington University-St. Louis, B.A. in English Literature and Secondary Education, 1997

ADMISSIONS

- Illinois
- Missouri
- U. S. Courts of Appeals for the
 - 7th and 8th Circuits
- U.S. District Courts for the
 - Southern, Central, and Northern Districts of Illinois
 - Eastern and Western Districts of Missouri

PRACTICE DESCRIPTION

Beth A. Bauer is a litigation attorney with a primary emphasis in the defense of complex, multi-party civil cases and class actions, including all aspects of:

- consumer fraud
- product liability (particularly pharmaceuticals, medical devices, and personal products)
- property tax
- environmental contamination

She practices primarily in the St. Louis, Missouri, metropolitan area, including Madison and St. Clair Counties in Illinois.

Prior to joining HeplerBroom, Ms. Bauer served as a law clerk in the Missouri Court of Appeals, Eastern District.

BAR/PROFESSIONAL ASSOCIATIONS

- Federation of Defense and Corporate Counsel (FDCC)
 - Litigation Management College Faculty (2014, 2015, 2016)
 - Toxic Tort Environmental
 - Section Chair (2016-2018)
 - Vice-Chair (2014-2016)
 - FDCC Advance Committee (2015-2016) to improve diversity of membership
- Illinois Appellate Lawyers Association
 - Director, 5th District (2015-2017)
- Illinois Association of Defense Trial Counsel
 - Editor-in-Chief, *IDC Quarterly* (2014-2015)
 - Supreme Court Watch columnist, *IDC Quarterly* (2002-2014)
- Illinois Supreme Court Character and Fitness Committee
 - Vice Chair, 5th District
- Madison County Bar Association

AWARDS, HONORS & DISTINCTIONS

- AV Preeminent® Attorney by Martindale-Hubbell
- *Illinois Leading Lawyer* (2014-2019)
 - Named one of "40 Illinois Attorneys Under Forty to Watch" by Law Bulletin Publishing Company (2011)

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AWARDS, HONORS & DISTINCTIONS (continued)

- *Illinois Super Lawyer* (2014-2019)
 - Rising Star (2009-2013)
 - Named one of "2013 Top Women Attorneys" by *Illinois Super Lawyers*
- Meritorious Service Award for Service as IDC Quarterly Editor-in-Chief (2015)

LAW SCHOOL HONORS/INVOLVEMENT

- Member and Notes and Comments Editor, *St. Louis University Public Law Review* (1998-2000)
- Student Editor, *Fidelity and Surety News* (1998-2000)
- Law School Leadership Council (1999-2000)
- Christian Legal Society
 - President (1998-2000)

PUBLISHED LEGAL WRITING

- "Ultimate Game Changer? Concussion-Related Injuries and Litigation," *FDCC Insights* (updated Spring 2017).
- "Ultimate Game Changer? Concussion-Related Injuries and Litigation," *FDCC Quarterly* (Vol. 64 Q.338, 2015).
- "Editor's Message," *IDC Quarterly* (2014-2015).
- "Supreme Court Watch," *IDC Quarterly* (2002-2014).

LEGAL LECTURES & PRESENTATIONS

- Discovery on Discovery: Discovery Directed Against the Corporate Discovery Search Team and Outside Discovery Vendors (Chicago IL, 2019).
- From the Inside Out: Strategies to Avoid, Control, or Eliminate Major Product and Toxic Tort Exposures (Amelia Island FL, 2018).
- "Appellate Jeopardy: A Fun Way to Review the Federal Rules of Appellate Procedure," Eighth Circuit Bar Association (St. Louis MO, 2017).
- "Trying Your Case to Win . . . In the Court of Appeals That Is," Illinois Appellate Lawyers Association Fifth District Seminar (Collinsville IL, 2016) (updated version).
- "The Amendments to The Federal Rules of Civil Procedure Are Here: What You Need To Know To Defend Your Clients," Federation of Defense and Corporate Counsel Connect and Learn Webinar (Edwardsville IL, 2015).

For a complete list of Legal Lectures & Presentations, see attached.

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REPRESENTATIVE/RECENT CASE RESULTS

- Ms. Bauer has spent most of her time recently defending a major personal care products manufacturer in litigation in which each plaintiff claims that her perineal use of body powder caused her ovarian cancer. Over 1600 of these claims are filed in the City of St. Louis as well as additional claims pending in the U.S. District Court for the Eastern District of Missouri and Madison, St. Clair, McLean, and Cook Counties in Illinois. These jurisdictions appear regularly in the top 10 of ATRA's annual Judicial Hellhole list.

Ms. Bauer has been on the trial team for eight trials in St. Louis City Circuit Court, one of which involved 22 plaintiffs whose claims were tried jointly. She has worked with the appellate team to obtain reversals and vacated judgments in two cases. The other judgments remain pending in the appellate court.

Recently, she led a team to remove many of these claims to federal court on diversity grounds, arguing that many plaintiffs were fraudulently misjoined. Her team was successful in arguing that the cases should stay in federal court, despite difficult Eighth Circuit precedent, and many such claims have been transferred to a MDL proceeding in New Jersey rather than being remanded to one of the toughest jurisdictions in the country.

- Ms. Bauer was part of the team defending against plaintiff's claims that her perineal use of talcum powder caused her ovarian cancer. Plaintiff asked for tens of millions of dollars in compensatory and punitive damages. The jury returned a defense verdict. (*Nora Daniels v. Johnson & Johnson, et al.*, St. Louis City Circuit Court, Missouri, March 2017)
- Ms. Bauer represents WRB Refining LP (a joint venture of Phillips 66 and Cenovus Energy) in property tax matters and litigation. Recently, she worked with a team to achieve a multi-million dollar long-term settlement agreement that provided increased revenue for local taxing bodies and provided certainty for budgeting and business planning for her client. The settlement also resolved many related litigation matters Ms. Bauer was handling for WRB Refining before the Property Tax Appeal Board, Illinois Department of Revenue, Illinois Pollution Control Board, and tax objection cases against certain local taxing bodies in Madison County, Illinois. (*WRB Refining Property Tax Litigation*)

During the course of the litigation, Ms. Bauer successfully argued to the Illinois Supreme Court that the taxing bodies had no standing to intervene in the Illinois Pollution Control Board's proceedings to award tax certifications for pollution control facilities installed by her client for which they were entitled under Illinois law to favorable tax treatment. (*Board of Education of Roxana Community School Dist. No. 1 v. The Pollution Control Board, et al.*, 2013 IL 115473.)



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Legal Lectures & Presentations

Discovery on Discovery: Discovery Directed Against the Corporate Discovery Search Team and Outside Discovery Vendors (Chicago IL, 2019).

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"Appellate Jeopardy: A Fun Way to Review the Federal Rules of Appellate Procedure," Eighth Circuit Bar Association (St. Louis MO, 2017).

"Trying Your Case to Win, In the Court of Appeals That Is," Illinois Appellate Lawyers Association Fifth District Seminar (Collinsville IL, 2016) (updated version).

"The Amendments to The Federal Rules of Civil Procedure Are Here: What You Need To Know To Defend Your Clients," Federation of Defense and Corporate Counsel Connect and Learn Webinar (Edwardsville IL, 2015).

"Trying Your Case to Win, In the Court of Appeals That Is," Federation of Defense and Corporate Counsel Annual Meeting (Banff, Alberta, Canada, 2015).

"Concussion Litigation: The Evolution of Individual Claims, Mass Torts and Class Actions," Federation of Defense and Corporate Counsel Winter Meeting (Amelia Island, FL 2015).

"A Review of Class Action Law and Practice," ISBA Federal Practice "Tips of the Trade" Seminar Collinsville IL, 2014).

"Ethics Update: New Illinois Rules of Professional Conduct," IDC Fall Conference (Chicago IL, 2009).

"Effective and Persuasive Legal Writing," HeplerBroom University (Edwardsville IL, 2010, 2008).

What Every Lawyer Should Know About Appellate Practice," HeplerBroom University (Edwardsville IL, 2010, 2005).