HEPLERBROOM LLC

TROY A. BOZARTH

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- Class Actions
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- Products & Agriculture

He is a trial lawyer with extensive experience in state and federal courts at both the trial and appellate levels. Mr. Bozarth has tried many cases to verdict, including being part of the trial team for a nationwide class action jury trial. He has appeared before and argued multiple matters in the state and federal appellate courts concerning all aspects of class action jurisprudence. He has successfully defended many CAFA (Class Action Fairness Act) removals, including before the United States Court of Appeals for the Seventh Circuit, and argued against numerous class action certification motions in the state and federal courts in which he practices.

Petition for Certiorari

- First Bank v. DJL Properties

Practices:

- Banking & Financial Services
- Business & Corporate
- Class & Mass Tort Actions
- Commercial Litigation
- Pharmaceutical & Medical Devices
- Products Liability
- Securities & Financial Litigation

Education:

- Drake University School of Law, J.D., with Honors, 1996
- Drake University School of Business, M.B.A., 1996
- Illinois Wesleyan University, B.A. in Business Administration, 1992

Bar Admissions:

- Illinois
- United States Supreme Court
- U.S. Courts of Appeals for the
  - 7th Circuit
  - 8th Circuit
- U.S. District Courts for the
  - Northern District of Illinois
  - Central District of Illinois
  - Southern District of Illinois
  - Eastern District of Missouri

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Results

- Obtained favorable opinion from the Illinois Appellate Court, Fifth District. This case, a matter of first impression in Illinois, involved National Bank Act Preemptions and the application of the Riegal Niel Act and Illinois State Parity statutes to an out-of-state bank. It was the first and only case of its kind in Illinois. [*Johnson v. First Bank,* 382 Ill.App.3d 907, 89 N.E. 2d 233, 321 Ill. Dec. 329 (5th Dist. April 18, 2008)]
- Successfully argued against class certification. Plaintiff argued defendant engaged in a "Silent PPO" and unjustifiably reduced payments to the class through applying PPO discounts it did not deserve. The Southern District of Illinois court found that plaintiff's claims for breach of contract, unjust enrichment, and ICFA (Illinois Consumer Fraud Act) violations were not subject to common proof and therefore denied plaintiff's motion to certify the class. (*Roche v. Zenith)*
- Part of trial team that successfully defended nationwide class action jury trial in St. Clair County, Illinois. Verdict was affirmed on appeal. *(Craft v. Allstate)*
- Part of trial team that successfully represented Zimmer, Inc. in multiple jury trials in St. Clair County, Illinois. All trials ended in defense verdicts. *(Santas v. Zimmer, Inc.)*
- Successfully defended a Class Action Fairness Act removal, including before the United States Court of Appeals for the Seventh Circuit. *[Spivey v. Vertrue,* 528 F.3d 982 (7th Cir. 2008)]

Honors & Awards

- AV Preeminent® Attorney by Martindale-Hubbell
- Best Lawyers in America (2018-2027)
  - Lawyer of the Year – Litigation-Insurance (St. Louis) (2022)
- Illinois Leading Lawyer (2010-2025)
  - Top 10 Leading Business Lawyers-Downstate Illinois (2018)
- Illinois Super Lawyers (2010-2011, 2013-2026)
  - Rising Star (2009)

Professional Associations

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- American Bar Association
- Association of Defense Trial Attorneys
  - Executive Committee
- Bar Association of Central and Southern Illinois
- Defense Research Institute
  - DRI Law & Public Policy Class Action Task Force
- East St. Louis Bar Association
  - Board of Directors
- Federation of Defense & Corporate Counsel
- Illinois Association of Defense Trial Counsel
  - President (2015-2016)
  - President Elect (2014-2015)
  - First Vice President (2013-2014)
  - Second Vice President (2012-2013)
  - Secretary/Treasurer (2011-2012)
  - Board of Directors (2004-2011)
- Illinois State Bar Association
- International Association of Defense Counsel
- Madison County (Illinois) Bar Association
- Northern District of Illinois Trial Bar