



## Tanner M. Cook

### SENIOR ASSOCIATE

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### OVERVIEW

Tanner is known for his clear and concise legal communication.

Tanner focuses his practice on complex commercial litigation, particularly consumer class actions, antitrust litigation, and multidistrict litigation. Recognized by his colleagues as a gifted writer, Tanner frequently takes the lead in drafting critical pretrial briefs, including dispositive motions and evidentiary challenges. Tanner's prior experience as a federal law clerk provides him unique insight into the nuts and bolts of litigation, making him a valuable asset to clients attempting to navigate the federal court system.

In addition to his commercial litigation practice, Tanner regularly assists on white collar defense matters, especially in the False Claims Act context. He has significant experience defending companies from *qui tam* whistleblower suits at every stage of the litigation process, combining his deep substantive knowledge of the law with creative defense strategies. Tanner also regularly publishes articles and gives presentations on critical developments in False Claims Act litigation.

### Industries

Education  
Healthcare  
Life Sciences

### Services

Antitrust & Competition  
Antitrust Litigation  
Class Action Defense  
Commercial Litigation  
Consumer Fraud Litigation  
False Claims Act  
Litigation & Alternative Dispute Resolution

## Experience

### **CLASS ACTIONS/MULTIDISTRICT LITIGATION (MDL)**

- Served on team representing leading pharmacy benefit manager in MDL in Florida federal court, obtaining both a dismissal with prejudice and an important decision defending the use of mail-order pharmacies to deliver medications.
- Drafted a motion for summary judgment in a TCPA class action which resulted in a complete dismissal of the plaintiff's claims.
- Helped achieve exclusion of damages and liability experts, denial of class certification, and award of summary judgment in multidistrict consumer fraud class action.
- Represented supermarket chain in MDL in New York federal court involving allegations of mislabeled over-the-counter drugs, which the district court dismissed on federal preemption grounds.
- Successfully moved to compel individual arbitration of consumer claims in a variety of forums.
- Served on team that successfully vacated unfavorable class arbitration award in federal court.

### **FALSE CLAIMS ACT LITIGATION**

- Won summary judgment for a national healthcare provider named in False Claims Act suit brought by a former employee alleging a novel theory of liability under the federal False Claims Act and the state False Claims Acts of multiple different states.
- Assisted in defending company in multi-defendant False Claims Act suit that was dismissed with prejudice at the pleading stage, for which the relator was ordered to pay the defendants' attorney's fees.
- Representing private university in False Claims Act suit involving the receipt of Title IV funding.
- Representing managed care organization in False Claims Act suit involving the use of fraud and abuse detection processes in connection with state Medicaid program.

## Experience

### APPELLATE LITIGATION

- Secured favorable state appellate rulings on an issue of first impression regarding the enforceability of online arbitration provisions.
- Briefed appeal of \$500,000 jury verdict in breach of contract dispute, resulting in complete reversal of trial court's judgment.
- Defeated petition for writ of mandamus seeking to avoid court-ordered disclosure of privileged documents.

## Education

- J.D., Washington University in St. Louis School of Law
  - *cum laude*
  - *Washington University Jurisprudence Review*, Chief Articles Editor
- B.A., Lindenwood University
  - Philosophy
  - *cum laude*

## Admissions

- Missouri
- U.S. District Court, Eastern District of Missouri
- U.S. District Court, District of Colorado
- U.S. Court of Appeals, Tenth Circuit

## Clerkships

The Hon. Sarah E. Pitlyk, U.S. District Court, Eastern District of Missouri



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