



## Ian P. Cooper

ATTORNEY AT LAW / SHAREHOLDER

### Practice Areas

Employment Law and Litigation  
Higher Education Law and Litigation  
Commercial Litigation  
Tort Litigation

### Bar Admissions

Missouri, 1984  
Illinois, 1985  
Various State and Federal Courts  
including the U.S. Supreme Court

### Contact Information

Telephone: (314) 880.3600  
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### E-mail:

[icooper@tuethkeeney.com](mailto:icooper@tuethkeeney.com)  
34 N. Meramec Avenue,  
Suite 600  
St. Louis, Missouri 63105

DIFFERENT  
BY DESIGN™

Ian Cooper serves clients in employment, higher education, commercial, and tort matters. Ian regularly serves as lead counsel in significant cases, including class actions and other complex litigation and has tried numerous jury and bench trials in Missouri and Illinois. He has argued cases before the Missouri Supreme Court, the Illinois Supreme Court, the Missouri and Illinois Courts of Appeal, and the United States Courts of Appeal for the Seventh and Eighth Circuits and has briefed important employment issues before the Supreme Court of the United States. Ian also frequently counsels clients on a wide range of employment and higher education issues, including compliance, training, and litigation avoidance. Ian is a frequent speaker at national and regional conferences in the areas of employment law, higher education, and litigation.

Ian is a Fellow in the College of Labor and Employment Lawyers — a “fellowship of the most accomplished members of the labor and employment law community” in the United States. Ian is also a Fellow of the Litigation Counsel of America, an organization of leading trial and appellate counsel throughout the United States. Ian has been elected a member of the American Board of Trial Advocates, an invitation-only organization comprised of trial advocates “of high personal character and honorable reputation” practicing throughout the United States. Ian has also been named a Best Lawyer in America in both employment and commercial litigation and a Missouri & Kansas Super Lawyer in employment litigation. He is also a member of the National Association of College and University Attorneys.

Prior to founding the Firm, Ian was a partner at what is now Husch Blackwell, LLP. Before entering private practice, Ian served as Law Clerk to the Hon. James F. Warren of the Texas Court of Appeals, First Supreme Judicial District, in Houston, Texas.

### Education

J.D., Washington University School of Law, 1984  
• Notes and Comments Editor, Washington University Journal of Urban and Contemporary Law  
B.A. Rice University, 1981

### Significant Honors and Awards

- Fellow, College of Labor and Employment Lawyers
- Fellow, Litigation Counsel of America
- Member, American Board of Trial Advocates
- “Missouri and Kansas Super Lawyer” in employment litigation
- “Best Lawyer in America” in employment and commercial litigation
- Member, National Association of College and University Attorneys

### Presentations

- “Dealing with Difficult Faculty: A Crash Course,” Tueth Keeney Higher Education Symposium, June 2023.
- “Employee Activism and Political Speech on Campus: The Limits of Free Speech Rights of Employees Regarding Political Issues and Viewpoints,” National Association of College and University Attorneys, Seattle Washington, April 2019.
- “Legal update for HR,” Missouri College and University Professional Association – HR, November 2018.

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- "Speech on Campus," Missouri Community College Association – Chief Student Affairs Officers, November 2017.
- "The Latest in Legal Updates for College and University HR Professionals," September 2017.
- "Updates to Missouri Employment Law," Missouri Chamber of Commerce, August 2017.
- "Hot Legal Topics for College and University HR Professionals," MCUPA-HR Fall 2015 Conference, September 2015.
- "Hot Legal Topics in Higher Education," Missouri Community College Association Trustee and Administrative Professional Spring Conference, May, 2015.
- "Litigation Update: New Direction in Failure to Hire MHRA Cases," St. Louis Chapter of the Association of Corporate Counsel, December 2014.
- "Hot Topics Impacting Higher Education," Missouri College and University Professional Association – Human Resources, October 2014.
- "Anatomy of an MHRA Claim," St. Louis Chapter of the Association of Corporate Counsel, November 2013.
- "The U.S. Supreme Court's 2013 Employment Law Decisions: Key Considerations for Employers," Employment Law Alliance Webinar, July 2013.
- "Managing High Profile Discrimination Litigation," National Association of College and University Attorneys, Nashville, Tennessee, March 2013.
- "Who is a 'Supervisor' Under Title VII?" St. Louis Chapter of the Association of Corporate Counsel, November 2012.
- "What Keeps You Up at Night?" Employment Law Alliance, Vancouver, B.C., September 2012.
- "First Amendment and Community Colleges: Student Organizations, Employee Speech, and Politics on Campus," Missouri Community College Association, May 2012.
- "A Year in Review: Key U.S. Labor and Employment Law Developments in 2011 and What to Expect in 2012," Employment Law Alliance Webinar, January 2012.
- "Legal Issues and Implications for Community Colleges," Missouri Community College Association, May 2011.
- "Anatomy of a Missouri Human Rights Act Trial," St. Louis Chapter of the Association of Corporate Counsel, August 2010.
- "My Space is not Your Space: What Employers Need to Know about Employee Social Networking," Employment Law Alliance Webinar, May 2010.
- "Campus Safety and the Clery Act," Midwestern Regional Conference of the University Risk Management & Insurance Association, May 2010.
- "Missouri Human Rights Act: Expanding Employer and Supervisor Liability," St. Louis Chapter of the Association of Corporate Counsel, October 2009.
- "Effective Mediation Advocacy from the Advocate's Perspective," Bar Association of Metropolitan St. Louis, August 2009.
- "Missouri Human Rights Act Case Law and Proposed Legislative Changes," Missouri Department of Higher Education Conference, May 2009.
- "Amendments to the Americans with Disabilities Act," Employment Law Alliance Webinar, January 2009.
- "Emerging Employment and Disability Law Issues," University of Vermont Legal Issues in Higher Education Conference, Burlington, Vermont, 2006.
- "Lessons Learned from the Trenches," College and University Professional Association for Human Resources, San Diego, California, 2006.



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- "Auditing Hiring Practices and Policies," National Association of College and University Attorneys, Atlanta, Georgia, 2004.
- "Managing the Embarrassing Executive in Litigation," Employment Law Alliance, New Orleans, Louisiana, 2003.
- "How to Lose a Jury Trial," Employment Law Alliance, Montreal, Canada, 2003.
- "Turning Bad Claims into Good Lawsuits – Retaliation and Whistleblower Suits," National Association of College and University Attorneys, Austin, Texas, 2003.
- "Avoiding Retaliation Claims," United Educators Publication, 2002.

### Significant Trials

- *Marcantonio v. Board of Governors of Lincoln University*. MHRA hostile work environment and constructive discharge claims against Lincoln University brought by the former Director of Human Resources at the University. The trial court directed a verdict for the University following a five-day jury trial.
- *Sanders v. City of Columbia*. Trial involving former Police Officer for the City of Columbia seeking reinstatement, back pay, and benefits. Judgment for the City/Employer. Upheld on appeal by the Western District of Missouri Court of Appeals.
- *Ma v. Board of Governors of Missouri State University*, Title VII race and national origin discrimination claims against Missouri State University brought by a former teacher at the LNU-MSU College of International Business. Unanimous verdict for the University following a four-day jury trial.
- *Jennings v. Board of Governors of Missouri State University*. Age discrimination and retaliation claims brought by faculty member against Missouri State University under the Missouri Human Rights Act. Unanimous verdict for the University following a five-day jury trial.
- *Petkoff v. Metropolitan Community College*. Disability discrimination and retaliation claims brought by Iraq war veteran against Kansas City's largest institution of higher education. Plaintiff sought \$1.2 million in actual damages and \$9 million in punitive damages. Defendant's verdict.
- *Washington University v. Missouri Commission on Human Rights*. Action in prohibition brought on behalf of a private university to establish that the University's academic program is not a "place of public accommodation" under the Missouri Human Rights Act. Judgment for the University.
- *Moll v. General Automatic Transfer Company*. Product liability claim (serious burns alleged) tried before a jury. Defendant's verdict.
- *Schaefer v. Spider Staging Corporation*. Personal injury negligence and product liability claims tried before a jury in the United States District Court for the Eastern District of Missouri. Judgment for Defendant following two jury trials.
- *Shafer v. Parkway School District*. ADA claim tried before a jury in the United States District Court for the Eastern District of Missouri. Defendant's Verdict.
- *In re First Escrow, Inc.*, 840 S.W.2d 839 (Mo. 1992). Key Supreme Court decision regarding unauthorized practice of law.
- *Zuelke v. Southern Illinois University*. Title VII and retaliation claims tried before a jury in the United States District Court for the Southern District of Illinois. Defendant's Verdict.



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- *Page v. Smith*. Negligence claims against teacher and school district involving alleged serious personal injuries sustained by student. Defendant's verdict.

### Significant Arbitrations

- In re: Engineered Fastener. Obtained award of actual and punitive damages for client on counterclaim relating to the dissolution of business partnership.
- In re: Pandjiris. Obtained actual damages for client in dispute over sale of equipment.
- In re: Corrigan v. Sun Container. Obtained award of damages, interest and expenses exceeding \$740,000 in dispute over employment agreement.

### Significant Appeals

- *Sanders v. City of Columbia*, 602 S.W.3d 288 (Mo. App. 2020). Affirming trial court's judgment for the City of Columbia in wrongful termination claim brought by former City police officer.
- *Cheng v. Ford*, 83 N.E. 2d 563 (5th Dist. 2017). Reversing the trial court's denial of a University administrator's motion to dismiss tort claims for lack of jurisdiction pursuant to the Illinois Court of Claims Act and the Illinois State Lawsuit Immunity Act.
- *K.T. v. Culver-Stockton College*, 865 F.3d 1054 (8th Cir. 2017). Affirming dismissal of Title IX claims against College brought by a campus visitor.
- *Doe v. St. Louis Community College*, 526 S.W.3d 329 (Mo. App. 2017). Affirming judgment for the College regarding a DACA student's challenges to tuition under Missouri statutes and regulations.
- *Hatcher v. Board of Trustees of Southern Illinois University*, 829 F.3d 531 (7th Cir. 2016). Affirming summary judgment in favor of the University and administrator on a former faculty member's gender discrimination and First Amendment retaliation claims.
- *Smith v. ConocoPhillips Pipe Line Company*, 801 F.3d 921 (8th Cir. 2015). Reversing class certification in favor of plaintiffs asserting property damage and medical monitoring claims arising out of pipeline leak.
- *Nickel v. Stephens College, et al.*, 480 S.W.3d 390 (Mo. App. 2015). Affirming summary judgment in favor of College and administrators regarding breach of contract and tort claims asserted by student given a medical withdrawal.
- *Novak v. Board of Trustees of Southern Ill.* 777 F. 3d 996 (7th Cir. 2015). Affirming summary judgment in favor of University and three faculty members in disability discrimination claim brought by doctoral student.
- *Bd. Of Trs. Ex rel. Becker v. Jones*, 2015 Ill. App. Unpub. LEXIS 62 (5th Dist. 2015). Affirming summary judgment against alleged whistleblowers under the Illinois False Claims Act.
- *Dunn v. Bd. Of Curators of the Univ. of Mo.*, 413 S.W.3d 375 (Mo. App. 2013). Affirming dismissal of class action Petition.
- *Vance v. Ball State University*, 133 S. Ct. 2434, (2012). Counsel for various amici including the American Council on Education, American Association of Community Colleges, American Association of State Colleges and Universities, in key case involving the definition of "supervisor" under Title VII.



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- *Jennings v. Board of Curators of Missouri State University*, 386 S.W.3d 796 (Mo. App. 2012). Affirming dismissal of breach of covenant of good faith and fair dealing and declaratory judgment claims brought by a faculty member against a public university.
- *Milligan v. Southern Illinois University*, 686 F.3d 378 (7th Cir. 2012). Affirming summary judgment for university in faculty/student sexual harassment claim. The Court ruled that the University's response to the student's complaint of harassment was adequate as a matter of law.
- *Keveney v. Missouri Military Academy*, 304 S.W.3d 98 (Mo. 2010). Leading decision on rights of contract employees to assert common law claims for wrongful discharge.
- *Nemsky v. ConocoPhillips*, 2009 U.S. App. LEXIS 17227 (7th Cir. 2009). Judgment in favor of employer in hybrid-Section 301 claim under the National Labor Relations Act.
- *Nichols v. Southern Illinois University*, 510 F.3d 772 (7th Cir. 2007). Summary judgment for employer in multi-plaintiff discrimination/retaliation case.
- *Christian Legal Soc'y v. Walker*, 453 F.3d 853 (7th Cir. 2006). Analyzing First Amendment expressive association claims in higher education context.
- *Mershon v. St. Louis University*, 442 F.3d 1069 (8th Cir. 2006). Affirming summary judgment in disability discrimination and retaliation case.
- *Schaefer v. Spider Staging Corp.*, 275 F.3d 735 (8th Cir. 2002). Affirming Remittitur and new trial orders in multi-million dollar product liability action.
- *Taryen Development, Inc. v. Phillips 66 Co.*, 31 S.W.3d 95 (Mo. App. 2000). Summary judgment affirmed on breach of contract claim in multi-count suit over development disputes.
- *Padilla v. South Harrison R-II Sch. Dist.*, 192 F.3d 805 (8th Cir. 1999). Obtained reversal of jury verdict in a First Amendment retaliation case against a public school district.
- *Amir v. St. Louis University*, 184 F.3d 1017 (8th Cir. 1999). Important ADA and retaliation decision.
- *Schuler v. Phillips Petroleum Co.*, 169 F.3d 1171 (8th Cir. Mo. 1999). Affirming summary judgment for employer in age discrimination case brought under the ADEA.
- *Piele v. Skelgas, Inc.*, 163 Ill. 2d 323 (Ill. 1994). Illinois Supreme Court's Key ruling upholding intrastate forum non conveniens.
- *Ziaee v. Vest*, 916 F.2d 1204 (7th Cir. Ill. 1990). Obtained reversal of jury verdict in favor of plaintiffs in ERISA benefits case.
- *State ex rel Burlington Northern v. Forder*, 787 S.W.2d 725 (Mo. Banc 1990). Key venue decision regarding municipal corporations.
- *White v. Thomson Concrete Pump Co.*, 747 S.W.2d 655 (Mo. App. 1988). Affirming Defendants' verdict in wrongful death products liability action.

### Teaching and Service

- Guest lecturer, Lindenwood University, Law of Higher Education.
- Guest lecturer, Maryville University, Law of Higher Education.
- Guest lecturer, Saint Louis University School of Law, Not-for-profit law.
- Guest lecturer, Washington University School of Law, Not-for-profit Law.

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### Personal

- Married to Dr. Patricia Cooper since 1982.
- Father of three wonderful daughters.
- Active in the St. Louis community, particularly Pedal the Cause – raising funds for research at the Siteman Cancer Center, Washington University St. Louis.

