

MARTIN A. KASTEN

LITIGATION

PARTNER

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— BIOGRAPHY

Martin A. Kasten is a partner in the Litigation department of Friday, Eldredge & Clark, and focuses his practice on tort litigation and class actions in federal and state courts. His trial work includes the defense of claims involving business torts, Attorney General actions, Arkansas' deceptive trade practices act, insurance coverage, products liability, including pharmaceuticals, automobile accidents, premises liability and breach of contracts. Martin also regularly handles appeals to Arkansas' highest appellate courts and to the United States Court of Appeals for the Eighth Circuit.

— EDUCATION

- University of Arkansas, Fayetteville, J.D., *magna cum laude*, 1999
- Illinois State University, B.S., *summa cum laude*, 1995

— NOTEWORTHY

- Selected for inclusion in *The Appellate Lawyers*, 2022, Arkansas
- Listed in *The Best Lawyers in America*
 - Appellate Practice
 - Personal Injury Litigation – Defendants
 - Mass Tort Litigation / Class Action – Defendants
- Publication: Co-Author of "Handling Appeals in Arkansas" published by the Arkansas Bar Association
- Rated AV Distinguished by Martindale-Hubbell
- Recipient of the Arkansas Bar Association's Lawyer Community Legacy Award
- Selected to the *Mid-South Super Lawyers* Rising Stars List, 2008–2013

— KEY MATTERS

Martin is regularly involved in complex and high-stakes matters, with significant representations including:

- The overturning of a \$1.2 billion Medicaid fraud judgment, an \$11 million deceptive trade practices act judgment and a \$180 million attorney fee award.

Practice Areas

[Litigation](#)

[Appellate Law](#)

[Class Action](#)

[Commercial Litigation & Regulatory](#)

[Constitutional Law](#)

[Pharmaceutical & Medical Device Litigation](#)

[Product Liability](#)

[Torts & Insurance](#)

Industries

[Banking & Finance](#)

[Construction & Real Estate](#)

[Energy, Natural Resources & Utilities](#)

[Gaming & Horse Racing](#)

[Healthcare, Medical & Pharmaceutical](#)

[Insurance](#)

[Manufacturing & Industrial](#)

[Retail, Franchise & Consumer Products](#)

[Professional Services](#)

- The sustaining of a \$5.6 million judgment in a tax refund appeal before the Supreme Court of Arkansas.
- In a pro bono matter, representing a former law enforcement officer who appealed a conviction for leading a continuing criminal enterprise. For his efforts in spearheading a reversal of a 40-year sentence and a dismissal of the criminal enterprise charge, Martin was recognized by the Arkansas Bar Association with the Lawyer Community Legacy Award.
- The successful defense, with the firm's team, of a constitutional challenge to landmark Arkansas legislation permitting racing franchise holders to conduct electronic gaming.
- The successful defense of an appeal of a toxic tort case, where the plaintiff claimed his exposure to diesel fuel and exhaust caused his multiple myeloma.
- To trial, Martin successfully pursued a breach of contract on behalf of a landlord and obtained a verdict for \$690,000 in a commercial property damage dispute.
- Arkansas Court of Appeals affirmed a jury verdict for defendant railroad in an action brought under Federal Employers' Liability Act (FELA), seeking to recover damages for injuries sustained when railroad allegedly directed employee to test experimental safety bracket for huck gun.
- Eighth Circuit Court of Appeals affirming summary judgment for railroad in FELA case where plaintiff claimed injuries from operating a ballast regulator.
- Arkansas Court of Appeals affirmed summary judgment in a legal malpractice suit based on the attorney-immunity statute.
- Martin has also handled multiple appeals involving airplane and helicopter crashes.

— ASSOCIATIONS AND MEMBERSHIPS

- American Bar Association
- Arkansas Bar Association
- International Association of Defense Counsel
- Pulaski County Bar Association

— ADMISSIONS

- Arkansas, 1999
- Illinois, 2000
- United States Court of Appeals for the Eighth Circuit
- United States District Courts for the Eastern and Western Districts of Arkansas
- United States Court of Appeals for the Federal Circuit

— RECOGNITION



— REPRESENTATIVE CLIENTS

- Ethicon, Inc.
- Johnson & Johnson

- Simon Property Group
- Janssen Pharmaceuticals, Inc.