



# POYNTER LAW GROUP

## Scott Poynter



Scott was born in Fayetteville, Arkansas and raised in Mountain Home. In 1987, he earned a Bachelor of Science Degree in Accounting from Arkansas Tech University. He then earned his Juris Doctorate from the University of Arkansas School of Law in 1989. While in law school, Scott was active in Phi Alpha Delta legal fraternity and was awarded a leadership scholarship from the school.

Scott was involved in more than fifty jury trials while on active duty. In 1995, then Captain Poynter was selected by the Air Force for its Advanced Trial Advocacy Course, a course reserved for the military's finest litigators. After leaving active duty, Mr. Poynter was a partner at a national class action law firm, which focused its work on the representation of investors. He also continued his military career in the Arkansas Air National Guard and attained the rank of Major.

**Farmers:** Over the past nine years, Mr. Poynter has worked diligently for farmers. Most recently, on January 22, 2015, he was appointed by Judge John Lungstrum of the U.S. District Court, District of Kansas, to the Plaintiffs' Executive Committee in the *In re Syngenta AG MIR162 Corn Litigation*. In this genetically modified corn case, Scott represents both corn and milo farmers seeking damages for market losses incurred after Syngenta contaminated America's corn market with genetically modified corn varieties that had not been approved in China. China refused corn shipments from the United States, causing American farmers and other corn market participants to lose billions of dollars in revenue.

From 2006 through 2012, Scott similarly served rice farmers in the LLRICE 601 Genetically Modified Rice MDL Action. As in the genetically modified corn case, Scott was also judicially appointed to the Plaintiffs' Executive Committee in the rice case. The Rice MDL has now recovered more than one billion dollars in damages for farmers and others involved in the American rice market.

**Employees:** Nearly 170 Alaska Airlines' flight attendants have retained Scott to prove the uniform provided to them in early 2011 by Twin Hill was toxic. These flight attendants have suffered horrible skin, eye, respiratory, and thyroid problems due to the heavy metals, dangerous dyes, and other substances in the garments. The case is being pursued in Orange County, California before Superior Court Judge Kim G. Dunning.

**Homeowners:** Scott also works for Arkansas homeowners for violations of the Arkansas Statutory Foreclosure Act by out-of-state and national banks. Additionally, he serves Arkansas homeowners that have been forced to purchase insurance at excessively high prices and in order for many of the national banks to receive illegal kickbacks from the insurers.

**Man-Made Earthquakes:** In 2010 and 2011, central Arkansas was hit with thousands of earthquakes, which were caused by oil and gas operations in the Fayetteville Shale. This created seismicity was due to fracking fluids and waste being disposed of into the earth with high-pressure injection wells – known as Class II Disposal Wells. About 35 homeowners in the Guy and Greenbrier areas of Arkansas retained Scott and filed suit alleging both physical and market value losses to their homes. It is believed that these man-made earthquake cases were the very first of their kind filed anywhere.

Scott is a leader in induced seismicity litigation. In the fall of 2014, residents around Prague, Oklahoma who suffered from more substantial man-made earthquakes retained Scott also. During the November 2011 quakes measuring more than 5.0 in Prague, Ms. Sandra Ladra was watching television in her living room with her family when rocks from her two-story fireplace and chimney fell onto her legs causing substantial injuries. Her case was dismissed on jurisdictional grounds, but the Oklahoma Supreme Court unanimously reversed that decision freeing the way for these cases to be heard in Oklahoma courtrooms. Her case, as well as a class action property damage case will now be heard in Lincoln County District Court. These cases and Scott's win before the Oklahoma Supreme Court have gained national media attention from the Wall Street Journal, the New York Times, the New Yorker, Bloomberg, Reuters, CBS News, and CBS Saturday Morning. He has also been published on the topic of induced seismicity. *What the Frack? Man-Made Earthquakes Are For Real*; The Legal Examiner, Feb. 2, 2015.

**Consumers:** Scott is also dedicated to serving consumers cheated by deceitful marketing. For example, he was appointed as Co-Lead Plaintiffs' Counsel in the Tyson RWA Chicken MDL Action before Judge Bennett in the District of Maryland, which involved the false marketing of chicken as being raised without the use of antibiotics. Scott and his co-counsel provided class members over \$5 million in relief. Additionally, he served as class counsel in multiple consumer actions against Alltel, and has secured over \$80 million of relief for former Alltel subscribers who were members of certain consumer classes. Scott has been extensively involved in many telecommunications class action cases brought under consumer protection statutes, and appeared on the nationally syndicated FOX television show *The Morning Show with Mike and Juliet* as an expert on the cell phone industry's early termination fees. Presently, Scott is lead counsel in a consumer class action brought by Arkansans against POM Wonderful for falsely marketing its products as cures for cardiovascular disease, cancer and erectile dysfunction. The Federal Trade Commission's trial of POM and finding of deceptive marketing was upheld by the D.C. Circuit Court of Appeals.

**Investors:** Scott represents shareholders in various kinds of securities actions. Such cases typically involve fraud or securities law violations, shareholder derivative lawsuits, or cases where shares are acquired through leveraged buyouts, mergers, tender offers, and other "change of control" transactions. Scott has successfully challenged the fairness of such transactions, the adequacy of disclosures made in connection with the transactions, and the price offered to shareholders for their equity.

Scott is admitted to practice before the U.S. Court of Appeals for the Armed Forces; the U.S. District Courts for the Western and Eastern Districts of Arkansas; the Eighth Circuit Court of Appeals; and all Arkansas State Courts.

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