

Rising Star: Bartlit Beck's Katherine 'Kat' Hacker

By **Ivan Moreno**

Law360 (August 11, 2023, 9:20 AM EDT) -- Kat Hacker of Bartlit Beck LLP successfully defended Monsanto against allegations its weed killer Roundup caused a gardener's non-Hodgkin lymphoma and represented Walgreens in landmark opioid litigation, earning her a spot among the trial attorneys under age 40 honored by Law360 as Rising Stars.

Her notable cases:

Hacker was the first-chair lead trial attorney representing Monsanto in a case that concluded in May with a Missouri jury clearing the company of liability in Sharlean Gordon's lawsuit in St. Louis County circuit court.

"Every case presents different challenges," Hacker said. "On this one we had the challenge of being against a plaintiffs attorney who not only serves on the Roundup MDL leadership committee — so she knows these cases inside and out — but she also secured one of the first big three judgments against Monsanto related to Roundup."

In May 2022, when the remedies phase in the opioid litigation against Walgreens, CVS and Walmart began, Hacker was first to deliver opening statements for the defendants. The year before, a jury in the Northern District of Ohio had delivered a liability verdict in favor of Lake and Trumbull counties, which were seeking \$3 billion in damages. After a bench trial, however, the judge awarded the counties about \$650 million combined from all defendants over 15 years.

"Because it was the first time dealing with remediation in one of these cases about opioids, it was a really interesting issue to work through and figure out how to present to the judge," she said.

Her biggest case:

Hacker was part of a Bartlit Beck team that defended the Texas Roadhouse restaurant chain in a pattern or practice of age discrimination case brought by the Equal Employment Opportunity Commission in 2017. It was the first time the agency took a case to trial, according to the firm.

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**RISING
STAR**



Katherine 'Kat' Hacker
Bartlit Beck

Age: 38

Home base: Denver

Position: Partner

Law school: University of Texas School of Law

First job after law school:
Clerk for Tenth Circuit Judge David Ebel

"Every day in that case was setting a precedent for how these types of pattern or practice cases will be tried, so it was a challenge not having some form or prior pattern to follow. We were having to figure that out on our own," she said.

Hacker cross-examined a dozen witnesses during the three-week trial, which concluded with the jury unable to reach a verdict. Shortly afterward, the EEOC settled for \$12 million after initially seeking hundreds of millions of dollars in damages for possibly hundreds of claimants.

"It was a really rewarding case for me because when you have such a large and long case like that, there's opportunities to go around," she said. "I've had multiple trials in a year, but to take a dozen witnesses in a short period of time gave me an opportunity to practice and hone my craft in a way that is pretty rare in our industry."

Her proudest moment as an attorney:

Hacker said her proudest moment was delivering opening arguments in the Roundup trial.

"It was the culmination of our whole team's work leading up to trial," she said. "An opening statement, when done well, you're getting input from the entire team and we're thinking through ideas and ways to tell our story. It felt really good to be able to present that for the whole team."

There was enough interest in the case that the Courtroom View Network streamed the trial.

"Our firm had it playing in both of our offices, in Denver and Chicago, so after opening statements ended I was immediately getting dozens of emails from everybody," she said. "It felt like everyone rallied around not just me, but our team. Everyone was behind us, cheering us on."

How the practice will change over the next decade:

The COVID-19 pandemic forced attorneys and judges to be creative about handling proceedings remotely, and Hacker said she thinks that may translate to people in the legal industry becoming more comfortable adapting to new technologies more quickly than before.

"You could probably say this at any point in history, but I think we're facing a much faster shift in technology in the trial world in the next decade than we have in the last, maybe, 100 years," she said.

Hacker said while the legal industry has been slow to embrace new technologies, that might change as artificial intelligence becomes more advanced and specific to attorneys' jobs.

"Trial attorneys are going to need to adapt to that new technology to use it to their advantage, instead of ignoring it for long periods of time like we have in the past," she said.

Why she enjoys being a trial lawyer:

Hacker said she became a trial attorney because of the intellectual challenge and performance aspect of it.

"I was a professional singer when I was younger — long before my law school days — and when I was in law school and tried a mock trial, I realized the courtroom is just a different type of stage," she said.

Hacker said trial work blends academic skills with creative thinking more than other areas of law.

"But it's also blended with more creative arts that I was drawn to, like performance, graphics,

storytelling — those different aspects that you don't get in other areas of the law," she said. "My favorite part of what I do, and what we do as trial attorneys, is taking every case and learning a new area of law and combining that with all of these performance skills to take complex ideas and simplify them into a story that juries and judges can understand and empathize with."

--As told to Ivan Moreno.

Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2023 Rising Stars winners after reviewing more than 1,350 submissions. Attorneys had to be under 40 as of May 1, 2023, to be eligible for this year's award. This interview has been edited and condensed.

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