

Lawyer a victor in class actions, says he fights for little guy

St. Louis Post-Dispatch | June 29, 2008

Susan Weich

Jun. 17, 2008 (McClatchy-Tribune Regional News delivered by Newstex) -- The next time you're reading about a multimillion-dollar settlement in a class-action suit, the lawyer involved just might be Aaron Zigler.

Zigler, 34, was born and raised in St. Charles County, and now works for the St. Louis law firm Korein Tillery.

He is credited with developing a strategy for economic damages that resulted in a \$60 million settlement with pharmaceutical company Pfizer Inc. (NASDAQ:SMCI) (NYSE:PFE)

It was his first big case.

The suit involved the diabetes drug Rezulin, which was recalled in March 2000 after it was linked to liver problems.

Fifty class-action cases were filed, but the one Zigler was involved in was the only such case to lead to any recovery.

His theory was based on the simple fact that all the parties involved had bought the drug. Other suits focused on potential injuries, which weren't the same for everyone.

Zigler argued that had the users known about the side effects of Rezulin, they never would have bought it.

The settlement paid plaintiffs a cash award of 85 percent of their out-of-pocket expenses for the drug. It also included \$20 million to finance diabetes research.

Zigler's case was so successful that firms all over the country have copied his theory of liability in pharmaceutical litigation in federal and state courts.

In fact, Zigler used the same strategy to get a \$63.8 million settlement with drugmaker GlaxoSmithKline PLC (NYSE:GSK) last year. This time users of the anti-anxiety drug Paxil got 100 percent of their co-pays back.

Zigler said he hasn't gotten rich off these cases. He is a salaried associate in his law firm, not a partner. He's got mortgage payments on his modest home in Shiloh, and he's still paying off his student loans.

Despite some who have negative opinions about class-action lawyers like him, he sees his role as being someone who looks out for the little guy.

"I really don't feel like I'm driving up the prices for anybody else, especially in the cases that we work on," he said. "In the cases that I've described here, you've got acts done by these companies that were clearly wrong."

Stephen Tillery, senior partner with Korein Tillery, said Zigler's success shows his ability to take a fresh look at a case.

"You have to be creative because I'll guarantee you that the other side is creative in their defense of these cases, and they do everything they can to stop them from going forward," Tillery said.

Zigler grew up on Woodcliff Manor Road in the Harvester area. His dad, Larry, an ex-Marine, was a barber until he retired. His mom, Karen, is a social worker. He has two younger siblings -- Amy and Josh.

Zigler graduated from Francis Howell North in 1992. He was on the football team and played the saxophone in the band. He was a Boy Scout.

"Growing up where I did and going to the schools that I did, I think they set me on the course to do this sort of work," he said. "I had wonderful teachers the whole time. They encouraged individual thought and creative thinking."

Still, Zigler said it was really a movie, "A Few Good Men," that pushed him to become a lawyer.

"I thought, hey, that looks like fun, like something I might want to do," he said.

It wasn't long after he started at St. Louis University School of Law that he saw an inequity he wanted to correct.

Zigler said he found out that a copy center down the street had outlines available from old classes.

The outlines were common knowledge among upperclassmen or students who had other relatives who attended the school, but not with students like him.

"I saw the disparity between people who had this resource and people who didn't as something that wasn't fair," he said.

Zigler made copies of the outlines for every class and started a website where he posted them online. When the law school found out about it, administrators paid him to create a student Web page for the law school. It still exists today.

Zigler got a law clerk position with Korein Tillery in 2000 and joined the firm after graduating in 2001.

He and his wife, LeeAnn, who is also an attorney, have two children: Zoe, 5, and Jack, 18 months.

Zigler said he never meets most of the people he represents in these high-profile cases, so he envisions his clients as his neighbors in St. Charles County, who he says are the type of hardworking, good people who sometimes are taken advantage of by large companies.

"These are the people who made me be somebody who wanted to help others," he said.

Newstex ID: KRTB-0187-26041347