



## John Keeling Baker

### Member

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### Practice Areas

Real Estate Litigation  
Trust, Estate and Fiduciary Litigation  
Commercial Litigation  
Class Action Defense  
Tax Controversy and Litigation  
Intellectual Property  
Bankruptcy, Restructuring and Creditor-Debtor Rights

### Education

University of Arkansas School of Law  
J.D. - (1996)

Saint Louis University  
B.A. - (1994)

### Bar Admissions

Arkansas

John Keeling Baker has extensive experience in successfully trying and appealing a variety of business tort, contract, real estate, taxation, and class action suits before state and federal trial courts, Arkansas appellate courts, and the Eighth Circuit Court of Appeals in St. Louis, Missouri. He frequently works on behalf of clients on both sides of the Arkansas Freedom of Information Act (FOIA). He routinely advises governmental clients on open meetings and public records compliance requirements under the FOIA. He also litigates against FOIA violations on behalf of non-governmental clients when wrongfully denied access to public records under the FOIA.

### Experience

- Obtained winning 52 page Judgment in 12 years long, twice-tried lawsuit to restore church congregation to property from which they were displaced. *Connor Chapel AME Church et al. v. Ricky Hicks et al.*; Pulaski County Circuit Court; Case No. 60CV-13-2008.
- Secured trial court judgment on behalf of regional hospital successfully exempting seven real estate parcels from *ad valorem* taxation and affirmation of judgment on appeal. *Diffey v. N. Ark. Reg'l Med. Servs., Inc.*, 2019 WL 4729624 (Ark. Ct. App., 2019).
- Secured preliminary injunction to open road on theory of prescriptive easement and affirmation of injunction on interlocutory appeal. *Anita G, LLC v. Centennial Bank*, 2019 Ark. App. 217 (Ark. Ct. App., 2019).
- Successfully defeated attempted intervention by class member objecting to approved class settlement in *Wartick v. USAA*, 2017 Ark. App. 329 (2017).
- Served as federal court-appointed liaison counsel for European litigants in federal court multidistrict litigation in *In Re Genetically Modified Rice Litigation*, MDL 1811 (E.D. Mo.).
- Successfully defeated attacks on general election ballot access for Saline County, Arkansas voters on alcohol sale issue in *Our Community, Our Dollars v. Bullock*, 2014 Ark. 457 (Ark. 2014).
- Successfully secured dismissal of class allegations in nationwide consumer electronic goods

class complaint against client in *Jarrett v. Sanyo Mfg. Corp.*, 4:12-CV-00739-SWW (E.D. Ark.).

- Successfully secured six figure monetary judgments for client against former employees sued for breach of fiduciary duty and embezzlement in *Helena Chemical Company v. Skinner et al.*, 4:11-cv-00691-BRW (E.D. Ark.).
- Successfully defeated attacks upon trial court's approval of nationwide class settlement of 250,000 insureds *Hunter v. Runyan*, 2011 Ark. 43 (2011).
- Successfully secured reversal of federal court's denial of remand of state court action in *Usery v. Anadarko Petroleum Corp.*, 606 F.3d 1017 (8th Cir. 2010).
- Successfully obtained dismissal by summary judgment of Franchise Practices Act claim and three remaining causes of action brought against client by former agent in *Gunn v. Farmers Insurance Exchange*, 2010 Ark. 434 (Ark. 2010).
- Successfully defeated motion to certify class action sought by municipal bondholders against client in *Mittry v. BancorpSouth Bank*, 360 Ark. 249 (2005).
- Successfully obtained dismissal by summary judgment of three distinct causes of action brought against client by customer in *Slusser v. Monsanto Company, Inc.*, 198 S.W.3d 106 (Ark. 2004).
- Successfully obtained summary judgment on declaratory judgment relief and dismissal of specific performance of contract counterclaim in *Dev. & Constr. Mgmt. v. City of N. Little Rock*, 119 S.W.3d 77 (Ark. Ct. App. 2003).
- Served as state court-appointed Special Circuit Court Judge for Arkansas' Sixth Judicial District (Pulaski and Perry Counties).
- Successfully obtained a precedent-setting federal court injunction for client against U.S. Secretary of Health and Human Services in *Pathfinder v. Thompson*, 177 F. Supp. 2d 895 (E.D. Ark. 2001).
- Successfully tried breach of contract action and defeated appellate attacks on six figure judgment obtained for client in *First Fin. Bank v. Mazzio's Corp.*, 2001 WL 219389 (8th Cir. 2001).
- Successfully defeated motion to certify class action sought by home buyers against client in *Winkler v. Superior Financial Corp.*, 4:01-CV-00851-SWW (E.D. Ark.).
- Successfully obtained a favorable first impression ruling for client under Arkansas Freedom of Information Act in *Kristen Inv. Props., LLC v. Faulkner County Waterworks*, 32 S.W.3d 60 (Ark. Ct. App. 2000).
- Successfully obtained dismissal by summary judgment of Americans with Disabilities Act claim brought against client in *Land v. Baptist Med. Ctr.*, 164 F.3d 423 (8th Cir. 1999).

## Professional Recognition

- *Chambers USA*: Ranked in Litigation: General Commercial in Arkansas (2007-2015, 2017-2023)
- *The Best Lawyers in America*®: Commercial Litigation (2009-2024)
- *The Best Lawyers in America*®: Litigation - Real Estate (2011-2024)

- *The Best Lawyers in America*®: Litigation and Controversy - Tax (2011-2024)
- *Best Lawyers*®: Litigation and Controversy - Tax "Lawyer of the Year" (2023)
- *Best Lawyers*®: Litigation - Real Estate "Lawyer of the Year" (2013, 2020, 2022)
- *Mid-South Super Lawyers*: Business Litigation (2013-2023)
- *Mid-South Super Lawyers Rising Star*: Business Litigation (2011)
- Benchmark Litigation - Future Star - Arkansas (2013-2015)
- *Arkansas Business*, "Forty Under Forty" (2009)
- *Arkansas Democrat-Gazette* "High Profile" feature (2006)
- Graduate, Leadership Greater Little Rock, Class XVII
- Martindale-Hubbell peer review rating: AV® Preeminent™
- First Place Winner and "Outstanding Oralist" Award Recipient, University of Arkansas' Moot Court Prize Competition before United States Supreme Court Associate Justice Ruth Bader Ginsburg, Chief Judge Richard Arnold, Eighth Circuit Court of Appeals, Judge Morris Arnold, Eighth Circuit Court of Appeals (1996)

## Involvement

- Chair, Mitchell Williams Litigation Practice Group
- Pulaski County Bar Association
- Arkansas Bar Association
- Eighth Circuit Bar Association
- Court-Appointed Member, Arkansas Supreme Court Committee on Civil Practice
- Federation of Defense and Corporate Counsel
- United States Supreme Court Historical Society
- Member, Arkansas Farm Bureau
- Sedona Conference
- Sedona Conference Working Group 1, Federal Rule 45 Brainstorming Team and Drafting Team
- Member, Past President, Quapaw Quarter Association, Inc.
- Co-Founder and Board Member, Tomfoolery Foundation Inc., host of annual Hillcrest Pumpkin Roll & Great Southern Stone Skipping Championships
- Co-Founder, Past President and Member, Tree Streets, Inc.
- Past Board Member and Treasurer, Arkansas Urban Forestry Council, Inc.
- Past Board Member, Pulaski County Historical Society
- Past President and Board Member, Camp Aldersgate, Inc.
- Past Secretary and Board Member, Camp Aldersgate Foundation, Inc.

- Past Board Member and Past Secretary/Treasurer, St. Thomas More Society of Arkansas, Inc.