



Tyler J. Merkel

Of Counsel

tyler.merkel@wilsonelser.com

St. Louis, MO – 314.930.2877

Tyler Merkel has successfully represented individuals, corporations, municipalities and insurers in state and federal courts in Missouri and Illinois. In his civil defense practice, Tyler has defended clients in complex litigation involving premises liability, vehicular accidents, employment discrimination, construction defects, breach of contract, malicious prosecution, legal malpractice and medical malpractice.

Tyler also provides coverage opinions to construction insurers in relation to large losses in Missouri and Illinois and has insurers in third-party causes of action. Keeping pace with the technology on which his clients rely, Tyler closely follows the rapidly evolving areas of cybersecurity and data privacy.

Education

- Saint Louis University School of Law (J.D., 2012)
- Saint Louis University (B.A., *cum laude*, 2009)

Bar Admissions

- Missouri
- Illinois

Court Admissions

- U.S. District Court, Eastern District of Missouri

Professional Affiliations

- Missouri Bar Association

Services

- Cybersecurity & Data Privacy
- Complex Tort & General Casualty
- Data Use & AI Governance
- Transportation

- Illinois Bar Association
- Bar Association of Metropolitan St. Louis
- Missouri Organization of Defense Lawyers
- DRI: The Voice of the Defense Bar

Representative Matters

Obtained summary judgment in declaratory judgment action on behalf of auto insurer in Illinois concerning coverage on a lapsed policy. Key questions concerned statements and warranties made by non-captive brokers and compliance with ILCS notice requirements. Upheld on appeal in the Fifth District.

Drafted successful summary judgment on behalf of co-worker of plaintiff on the basis of co-employee extension of Workers' Compensation exclusivity doctrine in St. Charles County, Missouri.

Successful removal of Missouri state cause to U.S. District Court, Western District of Missouri, and successful transfer to the U.S. District Court, District of Iowa for non-resident P&C insurer. Transfer challenged on interlocutory appeal and upheld.

Motion to dismiss granted in St. Louis City on behalf of client relating to claims of negligent entrustment against parent in relation to an auto accident.

Obtained defense verdicts in four bench trials in St. Louis County involving four personal injury plaintiffs arising out of the same auto accident.

Defense verdict as second chair in jury trial in St. Louis County premises liability, automobile versus pedestrian case with surgical treatment.

Defense verdict in bench trial in Pulaski County, Missouri, relating to property damage resulting from an interstate collision.

Defendant's verdict in bench trial concerning violations of the Missouri Sunshine Act on behalf of a government officer.

Successful opposition in response to plaintiff's motion for judgment on the pleadings regarding Missouri's "no pay, no play" statute in St. Louis City, resulting in one of just four rulings in the state favorable to constitutionality of statute limiting uninsured plaintiffs to economic damages.

Successfully defended multiple motions to compel in St. Louis, Jefferson and St. Charles, Missouri, counties, where attorneys sought "blue sky" letters from insurers ahead of trial to attempt to preemptively build bad faith claims against insurers.

Successfully represented festival organizer as second chair in jury trial in St. Louis City on

malicious prosecution claim resulting in verdict under last offer.