



Daniel R. Garner

Partner

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St. Louis - 314.335.6829

Dan represents corporate defendants in complex commercial litigation and business disputes. He manages discovery, takes and defends fact and expert witness depositions, argues motions, and litigates at trial in courts across the country. Dan represents clients from various industries, focusing particularly on representing clients with franchised brands and those in the energy industry.

With more than 15 years of experience representing both small and large businesses, Dan brings an efficient, knowledgeable, and practical approach to his work. He also relies on his previous experience as a prosecutor for the city of Black Jack, Missouri to skillfully advocate for his clients' best interests.

Additionally, Dan is a trusted advisor to energy companies and retail franchisors on commercial business issues related to advertising, media, competition, pricing, and marketing. He helps clients determine the competition, antitrust, and pricing risks they face at every stage of their operations, from production and manufacturing, wholesale networks, and on down to the direct retail channel. He is also outside counsel for numerous national and international franchisors and brands across a variety of industries regarding development, implementation, and operation of customer loyalty programs, gift card programs, retail promotions, sales contests, and sweepstakes.

Dan has been named to *The Best Lawyers in America*®, Commercial Litigation, Benchmark Litigation Future Stars, and Missouri & Kansas Super Lawyers, Rising Stars list, Litigation. During law school, Dan was an editor on the *Saint Louis University Law Journal* and a student clerk for U.S. District Judge William D. Stiehl. He also earned the Samuel I. Sievers Writing Award for Best Student Publication.

When he's not working, Dan enjoys his time with his wife and two young daughters, and is always looking for a new craft beer or brewery to try.

Education

- Saint Louis University School of Law (J.D., *magna cum laude*, 2008)
- Valparaiso University (B.A., *summa cum laude*, 2005)

Practices & Industries

- Energy
- Energy Industry
- Franchising & Distribution
- Franchising & Distribution Industry
- Advertising, Media & Communications
- Litigation & Dispute Resolution
- Regulatory & Antitrust Law
- Class Actions
- Energy Litigation
- Convenience Retailing
- Oil & Gas
- Renewables

Bar Admissions

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

Community Involvement

- Interfaith Legal Services for Immigrants (*Board of Directors*)

Awards & Honors

- Named to *The Best Lawyers in America*®, Commercial Litigation (2021-2026)
- Named a Future Star by Benchmark Litigation (2025)
- Named to the Benchmark Litigation 40 & Under Hot List (2018-2022)
- Named to the Missouri & Kansas Super Lawyers, Rising Stars list, Litigation (2015-2019)
- *Missouri Lawyers Weekly* Up & Coming Award (2016)
- Saint Louis University School of Law Samuel I. Sievers Writing Award for Best Student Publication (2008)
- Academic Excellence Awards in Torts, Constitutional Law, and Employment Relations

Experience

- Lead counsel for Joseph Fresta in a dispute with the wife of a deceased partner regarding ownership of The Pasta House Company (*Joseph A. Fresta and The Pasta House Company vs. Sharon L. Tucci*, 19SL-CC04516 (Cir. Ct. St. Louis County)).
- Lead counsel on behalf of BP West Coast Products LLC in Oakland, California in *Power Quality & Electrical Systems, Inc., et al. v. BP West Coast Products LLC*, Case No. 16-cv-04791-YGR, 2018 WL 510130 (N.D. Cal. Jan. 23, 2018). Obtained summary judgment in BPWCP's favor on claims by former franchisees against BPWCP for breach of contract, breach of the covenant of good faith and fair dealing, and fraud (seeking more than \$2 million in damages), as well as on BPWCP counterclaims for breach of contract, resulting in a judgment in BPWCP's favor for \$1,982,774, plus attorneys' fees and costs in the amount of \$375,000.
- Lead counsel (appointed) on behalf of Ernest Williams in *Williams v. Roper*, No. 4:13-CV-2440 CAS, 2018 WL 1420271 (E.D. Mo. Mar. 22, 2018). After jury trial, obtained an award of punitive damages on behalf of an incarcerated plaintiff for violation of Fourth Amendment rights by a correctional officer.
- Lead counsel on behalf of Midax Mobil, Inc. in Chicago in *Cannatrac Technology, Inc. v. Midax Mobile, Inc.*, No. 2017L00594 (Cir. Ct. Cook County Ill., Mar. 19, 2018). Obtained dismissal of a breach of contract claim against a software developer related to development of a mobile application for sale of legal/medicinal marijuana.
- Lead counsel for a major national franchise brand in a Lanham Act case against an unauthorized retailer in Tennessee improperly selling a third-party product under the franchisor's brand.

- Lead counsel for an international franchise brand intervening in a case seeking to invalidate the brand's deed restrictions on property in Illinois.
- Outside counsel for numerous national and international franchisors and brands regarding development and operation of customer loyalty programs, gift card programs, retail promotions, sales contests, and sweepstakes.
- Part of lead counsel team for BP in Los Angeles in connection with dealers' claims of unfair gas pricing. In a five-week bellwether trial, a jury found in favor of the energy company on the pricing claims from four plaintiffs.
- Successfully defended a national pipeline owner/operator in a multimillion-dollar vendor contract dispute alleging improper termination. Part of a team representing a major oil company in connection with its \$2.6 billion sale of a refinery, including development of the terms of sale and divestment of related retail assets.
- Successfully represented a domestic software development company accused of patent infringement for customer loyalty program technology.
- Part of lead counsel team for BP in connection with a two-month bench trial in Chicago alleging pricing claims as well as various fraud and breach of contract claims, resulting in a complete defense verdict.
- Tried dozens of successful bench trials in state court in Ste. Genevieve for breach of contract, representing plaintiffs seeking unpaid condominium association dues from multiple defendants.
- Municipal prosecutor for city of Black Jack, Missouri for more than two years (through Greensfelder).
- Part of lead counsel team for a major home appliance manufacturer/retailer in arbitration alleging breach of contract and tortious interference.

Downstream Energy and Franchise/Brands Experience

Dan works closely with many of the world's largest energy companies and franchised brands on a wide range of their downstream marketing efforts and litigation matters. He has deep knowledge and experience assisting these companies with compliance, customer relationships, product sales, franchising, and dispute resolution. His relevant efforts include the following:

- Pricing and compliance expertise, including state and federal below cost laws, Robinson-Patman Act, UCC 2-305 good faith and non-discrimination, meeting competition, state price posting and weights and measures compliance, discount and reward pricing, and general antitrust obligations.
- Retail promotions, including gift card and customer loyalty programs, sweepstakes, contests, and sales/discounting.
- Implementation and operation of Electric Vehicle Charging stations.
- Franchise compliance, including with state law and federal Petroleum Marketing Practices Act termination and non-renewal obligations.
- Assisting national brands with regulatory and consumer responses to off-spec energy products.

- Lead counsel on behalf of an international oil company and franchisor in Oakland, California in *Power Quality & Electrical Systems, Inc., et al. v. BP West Coast Products LLC*, Case No. 16-cv-04791-YGR, 2018 WL 510130 (N.D. Cal. Jan. 23, 2018). Obtained summary judgment in the client's favor on claims by former franchisees for breach of contract, breach of the covenant of good faith and fair dealing, and fraud (seeking more than \$2 million in damages), as well as on client's counterclaims for breach of contract, resulting in a judgment for \$1,982,774, plus attorneys' fees and costs in the amount of \$375,000.
- Lead counsel for a major national energy franchise brand in a Lanham Act case against an unauthorized retailer in Tennessee improperly selling a third-party product under the franchisor's brand.
- Lead counsel for an international energy franchise brand intervening in a case seeking to invalidate the brand's deed restrictions on property in Illinois.
- Part of lead counsel team for an international oil company in Los Angeles in connection with franchised dealers' claims of unfair gas pricing. In a five-week bellwether trial, a jury found in favor of the energy company on the pricing claims from four plaintiffs.
- Successfully defended a national oil pipeline owner/operator in a multimillion-dollar vendor contract dispute alleging improper termination. Part of a team representing a major oil company in connection with its \$2.6 billion sale of a refinery, including development of the terms of sale and divestment of related retail assets.
- Successfully represented a domestic software development company accused of patent infringement for customer loyalty program technology.
- Part of lead counsel team for an international oil company in connection with a two-month bench trial in Chicago alleging pricing claims as well as various fraud and breach of contract claims, resulting in a complete defense verdict.
- Part of lead counsel team for a major home appliance manufacturer/retailer in arbitration alleging breach of contract and tortious interference.

Complex Commercial Litigation Experience

- Lead counsel for a restaurant owner in a dispute with the wife of a deceased partner regarding ownership of The Pasta House Company (*Joseph A. Fresta and The Pasta House Company vs. Sharon L. Tucci*, 19SL-CC04516 (Cir. Ct. St. Louis County)).
- Lead counsel on behalf of a major oil refiner in Oakland, California in *Power Quality & Electrical Systems, Inc., et al. v. BP West Coast Products LLC*, Case No. 16-cv-04791-YGR, 2018 WL 510130 (N.D. Cal. Jan. 23, 2018). Obtained summary judgment on claims by former franchisees for breach of contract, breach of the covenant of good faith and fair dealing, and fraud (seeking more than \$2 million in damages), as well as on the client's counterclaims for breach of contract, resulting in a judgment their favor for \$1,982,774, plus attorneys' fees and costs in the amount of \$375,000.
- Lead counsel (appointed) in *Williams v. Roper*, No. 4:13-CV-2440 CAS, 2018 WL 1420271 (E.D. Mo. Mar. 22, 2018). After a jury trial, obtained an award of punitive damages on behalf of an incarcerated plaintiff for violation of Fourth Amendment rights by a correctional officer.
- Lead counsel on behalf of a software developer in *Cannatrac Technology, Inc. v. Midax Mobile, Inc.*, No. 2017L00594 (Cir. Ct. Cook County Ill., Mar. 19, 2018). Obtained

dismissal of a breach of contract claim related to the development of a mobile application for the sale of legal/medicinal marijuana.

- Lead counsel for a major national franchise brand in a Lanham Act case against an unauthorized retailer in Tennessee improperly selling a third-party product under the franchisor's brand.
- Lead counsel for an international franchise brand intervening in a case seeking to invalidate the brand's deed restrictions on property in Illinois.
- Lead counsel for a national healthcare lobbying organization in a software and breach of contract dispute.
- Represented a national healthcare lobbying organization in a National Advertising Division (NAD) dispute with a major clear aligner therapy brand.
- Part of the lead counsel team for an international oil company in Los Angeles in connection with dealers' claims of unfair gas pricing. In a five-week bellwether trial, a jury found in favor of the energy company on the pricing claims from four plaintiffs.
- Successfully defended a national pipeline owner/operator in a multimillion-dollar vendor contract dispute alleging improper termination. Part of a team representing a major oil company in connection with its \$2.6 billion sale of a refinery, including development of the terms of sale and divestment of related retail assets.
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- Part of the lead counsel team for an international oil company in connection with a two-month bench trial in Chicago alleging pricing claims as well as various fraud and breach of contract claims, resulting in a complete defense verdict.
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News & Media

August 21, 2025

UB Greensfelder Attorneys Recognized in The Best Lawyers in America® 2026 List

July 10, 2025

FTC's Proposed "Click-to-Cancel" Rule Struck Down by Eighth Circuit

October 9, 2024

UB Greensfelder and Attorneys Receive Honors in Illinois, Missouri, and Ohio in 2025 Edition of Benchmark Litigation Guide

August 15, 2024

UB Greensfelder Attorneys Recognized in The Best Lawyers in America® 2025 List

August 17, 2023

Best Lawyers 2024 Edition Lists 66 Greensfelder Attorneys, Including Five “Lawyers Of The Year”

August 18, 2022

Best Lawyers 2023 Edition Lists Over 60 Greensfelder Attorneys, Including Five St. Louis ‘Lawyers Of The Year’

August 19, 2021

Best Lawyers 2022 Edition Lists 60 Greensfelder Attorneys, Including Three St. Louis ‘Lawyers Of The Year’