

## Leading litigation firms

**Highly recommended**

Bartlit Beck Herman Palenchar &amp; Scott

Faegre &amp; Benson

Hogan &amp; Hartson

Holland &amp; Hart

Holme Roberts &amp; Owen

Jacobs Chase Frick Kleinkopf &amp; Kelley

Reilly Pozner &amp; Connelly

**Recommended**

Ballard Spahr Andrews &amp; Ingersoll

Davis Graham &amp; Stubbs

Hill &amp; Robbins

Rothgerber Johnson &amp; Lyons

Sherman &amp; Howard

Wheeler Trigg Kennedy

## Colorado

**Natural resource and environmental matters, in addition to products liability work, are staple litigation issues in this Rocky Mountain state. Firms in Denver lead the way, not only in the state, but in the region as well.**

**Highly recommended firms**

The Denver office of litigation boutique **Bartlit Beck Herman Palenchar & Scott** works as both a local and national presence. One insider says the “firm is known for work outside of the region.” According to another insider, Bartlit Beck is a national firm with a small Denver component. Firmwide, the number of attorneys reaches about 60, with 21 located in the Denver office. From that 21, only 12 are trial lawyers. Working on the plaintiffs’ and defendants’ sides, the firm sees a rise in patent infringement work, pharmaceutical defense antitrust and financial fraud matters. Fred Bartlit and Glen Summers were part of a team that won a complete defense verdict for the US surgical division of Covidien in a patent infringement case. In another high-stakes matter, the firm represented Static Control in a successful defense fight against Lexmark in a patent infringement case in the US District Court of the Eastern District of Kentucky. Besides the representation of hedge funds, other firm clients include DuPont and Pioneer Hi-Bred International, Bayer, Hewlett-Packard, Johnson & Johnson, Mayo Clinic, RealNetworks, Samsung Electronics, Tyco International and 3M.

With an international feel, the Colorado-based **Faegre & Benson** grasps complex litigation, including antitrust, consumer fraud and medical defense work. The firm acts as part of DuPont’s legal service network, providing the company with litigation support and acts as national coordinating counsel for chemical crop protection litigation. The Faegre team also served as the lead plaintiff’s counsel at trial during the Exxon Valdez matters, resulting in the largest punitive damage award in US history.

The firm counsels various insurance carriers in Employment Retirement Income Security Act matters and employment liability litigation. Beyond Denver and Boulder offices, the firm has locations in Minnesota and Iowa, as well as overseas shops in London, Frankfurt and Shanghai. Partner **Michael McCarthy** is recognized for his work in the complex commercial and environmental litigation arena. Practicing for more than 30 years, he developed a client base to include natural gas pipeline and processing businesses, companies

in the mining, oil and gas, manufacturing, utility, insurance, sports and telecommunications arenas. McCarthy is currently involved in ongoing representation of a natural gas processing and transmission company in a matter involving an administrative agency air quality enforcement proceeding. He is also lead counsel for State Farm Insurance.

For more than a century, **Hogan & Hartson** has provided the state, country and world with top-notch legal advice and professionalism. In addition to the three state offices in Denver, Boulder and Colorado Springs, the firm has 22 others, including locations in New York, Los Angeles, Miami, Philadelphia, Beijing, Paris and the District of Columbia. The litigation practice boasts more than 350 attorneys worldwide, with the Denver office noted for its white-collar crime and environmental practices. The office developed a niche in environmental-related white-collar criminal litigation.

The firm also handles a full-range of litigation matters, including antitrust, class actions, securities, labor and employment, intellectual property and both products and professional liabilities. Representative clients include Amgen, ChevronTexaco, Janus Capital Group, Metropolitan Football Stadium District and Wolf Creek Ski Area.

A recent merger with Nevada-based firm Hale Lane Peek Dennison & Howard only adds to the bench strength of **Holland & Hart**, which already boasts five offices in the state, including Denver, Boulder, Colorado Springs and Aspen locations. The firm, founded in 1947, now includes more than 400 attorneys throughout seven states and the District of Columbia. Already the largest Colorado-based law firm, Holland & Hart’s team of litigators has extensive experience in plaintiffs’ and defense-side cases, in regards to products liability, white-collar crime and environmental litigation. Recently, the firm successfully represented Costa Rican farmers in a \$26 million trial matter concerning a defective pesticide. Class action work includes recent representation of Brown-Forman in an allegation of marketing to underage drinkers. Generalist litigator **Scott Barker** is recognized for his work in complex litigation matters.

**“One-stop-shop Jacobs Chase Frick Kleinkopf & Kelley is a ‘real trial group that really ‘gets it,’ boasting 36 total attorneys in its Denver office.”**

## Local litigation stars

Scott Barker  
Holland & Hart

Jeffrey Chase  
Jacobs Chase Frick Kleinkopf & Kelley

Ann Frick  
Jacobs Chase Frick Kleinkopf & Kelley

Dale Harris  
Davis Graham & Stubbs

Robert Hill  
Hill & Robbins

James Lyons  
Rothgerber Johnson & Lyons

Michael McCarthy  
Faegre & Benson

Larry Pozner  
Reilly Pozner & Connelly

Roger Thomasch  
Ballard Spahr Andrews & Ingersoll

Lawrence Treece  
Sherman & Howard

Malcolm Wheeler  
Wheeler Trigg & Kennedy

With more than 70 trials in seven states to his name, Barker has experience in a vast array of litigation matters, including oil and gas, environmental, toxic tort, products liability, antitrust, commercial, construction, banking and real estate. The firm defended Kerr-McGee Oil and Gas Company in a qui tam action, which was dismissed post-trial.

Covering a wide variety of litigation specialties, including employment, bankruptcy and securities work, international presence **Holme Roberts Owen** has more than 250 attorneys in nine offices throughout the western US, as well as locations in London and Munich. Almost one-third of the firm's attorneys are devoted to litigation, with popular subgroups now including intellectual property, antitrust, employment and sports litigation. The firm was heavily involved in representing the United States' Anti-Doping Agency, with a majority of manpower coming from the Colorado Springs office. Partner Richard Young led a group, which aimed to prove that 2006 Tour de France Champion Floyd Landis' positive drug test results were credible and, therefore, enforceable. The firm also works for the recording industry against illegal down loaders. In a recent case for client Coors Brewing, the firm won summary judgment when a plaintiff claimed he owned trademark rights to the "Beer Man" character. The court concluded that the name was a general term and ruled in favor of Coors.

One-stop-shop **Jacobs Chase Frick Kleinkopf & Kelley** is a "real trial group that really 'gets it,'" boasting 36 total attorneys in its Denver office. The firm formed more than 12 years ago, when attorneys split from powerhouse Holme Roberts Owen. Now, "the firm has been growing strong ever since," insiders say. The litigation team of more than a dozen attorneys handle matters mostly in complex commercial arenas, with antitrust, securities and patent work. The firm recently settled large consumer class actions on both the plaintiff and defense sides. The "very talented" **Jeffrey Chase** recently achieved the largest verdict in state history at \$125.5 million total for client United International Holdings. "He is renowned for being able to tell a great story to the jury," says one peer. "You are not going to score a goal if you don't take shots." Peers go on to say he is "one of the great trial lawyers in Colorado." Chase works primarily in the areas of securities, telecommunications, legal malpractice, corporate governance and banking.

Fellow partner **Ann Frick** is one of the "top 10 female lawyers in the country," according to sources. Frick, with a "tremendous reputation," is noted for her mediation and arbitration practice.

With a small pool of attorneys, Denver boutique **Reilly Pozner & Connelly** handles civil and commercial litigation matters nationally, for both plaintiffs and defendants. "The firm takes it to the hoop," says one competitor. The litigation group deals primarily with oil and gas matters, but also has

expertise in consumer class actions and intellectual property work. Sports litigation is another budding practice, as seen through partner **Larry Pozner's** representation of the Denver Broncos in a matter seeking rescission of the contract upon purchasing by the present owner. He successfully represented the Broncos Football Club when it was sued in a multi-claim civil action, with damages totaling \$150 million. Partner Daniel Reilly is recognized as an "excellent lawyer" as well.

### Recommended firms

Products liability, construction and white-collar work are the three staple specialties at national firm **Ballard Spahr Andrews & Ingersoll**, whose foundation in the Rocky Mountain region can be traced to the firm's Denver office. The group also has considerable presence on the west coast, with Los Angeles, Las Vegas, Salt Lake City and Phoenix offices, as well as the east, with shops in Atlanta, Baltimore, Philadelphia, the District of Columbia and Bethesda, Md. The Denver office maintains a strong litigation presence, which is the firm's largest group. In its products group, attorneys represent clients in matters stemming from alleged injuries due to pharmaceuticals, medical device, asbestos, construction equipment and aircrafts. Recent matters handled in the construction group include defending a large power technology company in litigation brought by 18 dairy farms after the company designed and constructed high voltage direct current converter stations in Utah. Another representative matter includes a resort client suing a general contractor on lien claims as well as the issuer of payment and performance surety bonds. Other firm clients include DuPont and the US Women's National Soccer Team, which the firm began representing in 1999. Litigation department chairman **Roger Thomasch** has more than 35 years litigation experience, trying to verdict a variety of business and commercial issues. A generalist, Thomasch takes on cases involving securities fraud, product liability, trade secrets and intellectual property, oil and gas and shareholder litigation. He is known for his longtime representation of client Goodyear in products liability disputes.

With one office located in Denver, **Davis Graham & Stubbs** establishes itself as a leader in the regional marketplace. A full-service litigation shop, the firm has particular expertise in natural resources matters, as well as antitrust and class action work. Recently, attorneys represented clients HCA and HealthONE in a federal antitrust matter brought against the companies by United Healthcare. Although recently named of-counsel, longtime litigator **Dale Harris** is repeatedly recognized for his litigation expertise, as well as more recent mediation and arbitration practice. His broad commercial litigation practice includes complex business work and matters relating to antitrust, securities, business torts and fraud.

Denver's **Hill & Robbins** was founded by



## Future stars

Mark Bailey  
Reilly Pozner & Connelly

Michael Berger  
Jacobs Chase Frick Kleinkopf & Kelley

Robert Blume  
Gibson Dunn & Crutcher

Kenzo Kawanabe  
Davis Graham & Stubbs

Timothy McDonald  
Arnold & Porter

Kyle Velte  
Reilly Pozner & Connelly

two professionals: David Robbins, who served as deputy attorney general and head of the Natural Resources Division of the Colorado Attorney General's office, and **Robert Hill**, founder and director of the Antitrust Division of the Colorado Attorney General's office. More than 30 years passed since the firm's establishment and the boutique-feel has not changed since that time. The firm of 10 attorneys handles matters mostly related to complex litigation in federal court, but plaintiff's class action work and antitrust matters frequently get thrown into the mix as well. In antitrust matters, the firm represents healthcare-related outlets, hospitals and physician organizations. Recently, Hill & Robbins handled cases for client Starz Encore Group in commercial disputes with AT&T Broadband, Comcast and the Walt Disney Company. Several class actions were recently completed or are pending for the firm, including Hill's representation of a class of 270,000 plan participants against IBM in a pension-related matter. The judge ruled IBM's amendment of its traditionally defined benefit plan to a cash balance plan was age discriminatory, resulting in a more than \$300 million settlement. Other pending class actions include classes against State Farm Mutual Automobile Insurance, Gannett Retirement Plan, American Mutual Insurance Company and EchoStar Satellite Corporation. The firm represents the Rio Grande Water Conservation District, Banner Health, Liberty Media, the State of Colorado and the City of Colorado Springs, which the firm currently represents in a matter concerning the city's alleged inadequate wastewater system.

For more than 100 years, **Rothgerber Johnson & Lyons** has provided the region with its legal services, growing into a group of 75 attorneys in three locations. The firm operates primarily out of its Denver office, with an additional spot in Colorado Springs. The group began as a bankruptcy and collections practice in the early 1900s, but grew into a more diverse commercial practice, with an emphasis on antitrust, white-collar and general commercial matters. Partner **James Lyons** has more than 35 years of trial experience, with particular attention paid to the area of complex business litigation in corporate, securities and insurance disputes. He recently represented a plaintiff in a breach of contract claim against the owner of Steamboat Springs Ski Resort for failure to close on an \$87.5 million contract of sale. He also led trial defense counsel in one of the largest Superfund cases in the country, which settled favorably. Lyons is "a very talented federal trial litigator," says one competitor. Other representative clients include the City and County of Denver and Qwest Communications.

With more than 160 attorneys and a

presence in Colorado, Arizona and Nevada **Sherman & Howard** becomes a leader in the region for class action defense work. The firm represented various insurance, oil and other companies in national class actions. The firm's construction and telecommunications practices also come highly acclaimed. Noted for a bench of lawyers young and old, the firm's construction team is called one of "the best in the region." The recent addition of Colin Reid, the former vice president and general counsel of TIC Holdings, added to a group currently handling a matter for client Vail Associates in a dispute over a ski area in Utah. Representing a number of wireless, landline and cable providers, the firm's telecommunications group boasts a client base including Liberty Media, Qwest and Echostar. The firm usually represents insurance policy holders, a rare occurrence in the Denver legal marketplace. The firm recently represented a local bank in a Ponzi Scheme matter, in which the case settled favorably. Partner **Lawrence Trece** is noted for his extensive work in complex corporate and commercial matters, including securities, antitrust, corporate governance, breach of contract claims and business tort litigation. He recently received a defense verdict for a client accused of fraud, breach of fiduciary duties and breach of contract arising out of a failed effort to acquire six cable regions in Germany. He is involved in efforts to recover losses suffered in a securities lending program maintained by a major bank and he also act as lead trial counsel in the Utah ski resort matter.

Focusing on complex litigation, Denver-based **Wheeler Trigg Kennedy** is best known for its successful products liability practice. Defending the first defective airbag case to verdict, the firm counts Ford as one of its major clients in the automotive arena. In a recent class action, Wheeler Trigg obtained dismissal of an action against a national financial institution accused of discriminating in its lending practices. In a recent ERISA class action, the firm won summary judgment in the US District Court of the Southern District of Indiana representing a major manufacturing firm. The firm's long list of Fortune 500 representative clients includes AT&T, Honda, DuPont, BMW, Mazda, Procter & Gamble and Wyeth.

Partner **Malcolm Wheeler** is recognized not only for his complex business litigation expertise and products work, but also as a "tremendous lawyer and a nice guy." The "very talented trial lawyer" recently represented Pfizer in a products claim regarding antidepressants. The plaintiff's claims were found to be preempted. Wheeler also acts as lead counsel for an automobile manufacturer in a consumer-fraud class action with claims exceeding \$2 billion. The suit claims the company's false advertising misled more than 400,000 people in California to pay more that they should have for their cars.