

## Local litigation firms

### Highly recommended

Boone Karlberg

Christensen Moore Cockrell Cummings & Axelberg

Crowley Haughey Hanson Toole & Dietrich

Garlington Lohn & Robinson

Goetz Gallik & Baldwin

Lewis Slovak & Kovacich

Ugrin Alexander Zadick & Higgins

### Recommended

Brown Law Firm

Davis Hatley Haffeman & Tighe

Edwards Frickle & Culver

Hoyt & Blewett

Poore Roth & Robinson

# Montana

**Despite its population, Montana's legal market is steadily growing. Helena remains the state's hotspot for legal growth, but a surge in litigation out of bases in Billings, Missoula and Great Falls are noted by insiders. As always, oil and gas remains a hot legal ticket, with environmental and land use litigation not far behind.**

### Highly recommended firms

With a team of seven devoted to litigation, the Missoula-based **Boone Karlberg** earns high marks for its expertise in general commercial work, as well as products liability, insurance and white-collar matters. The firm is best known for its flourishing railroad practice, with clients including major local clients Montana Rail Link and Burlington Northern Santa Fe. Additional firm clients include American Capital Group, the State of Montana Tort Claims Division and the Montana Municipal Insurance Authority.

In a recent injury case, **William Crowley** and **Natasha Prinzing Jones** represented the City of Polson after a deck collapse at the Diamond Horseshoe Lounge. The plaintiff sued the city for alleging it did not properly inspect the deck when it was originally constructed. The injured plaintiff was seeking amounts in excess of \$2 million, but received only \$680,000. With more than 27 years of trial experience, Crowley has focused his practice on products liability and professional negligence matters, while garnering acclaim for his work in insurance and white-collar investigations as well. Partner **Matthew Hayhurst** "has found his niche," according to peers. His primary areas of focus include personal injury litigation, commercial litigation, insurance law and railroad work, but he has begun to develop a focus on products liability matters. In the railroad arena, the firm handles a fair amount of employment injury claims and has several railroad death cases in the works. **Randy Cox** handles cases for the area's major railroad companies, which range from broad toxic exposure to derailment cases. He recently defended Burlington Northern Santa Fe Railway Company in an employment suit in which a plaintiff claimed to have been injured on the job. After being the subject of a discipline hearing for improper injury reporting, the plaintiff was released and his union appealed the termination. The plaintiff sued in the US District Court of Montana

alleging wrongful discharge, negligent mismanagement and other charges. The district court dismissed all but the negligent mismanagement and infliction of emotional distress claims, awarding the plaintiff ten percent of his original compensatory damage request and three percent of his sought punitive damages. Cox is also in the midst of a long-running bad faith case that emerged out of the repossession of a herd of cows, representing First Interstate Bank in Wyoming, the case is currently on appeal.

Although consisting of only five attorneys in a small office in Kalispell, the folks at **Christensen Moore Cockrell Cummings & Axelberg** "do a lot of work" in litigation. The firm has a strong focus on medical malpractice work, with a chunk of matters arising from claims of delay of procedure and post-surgery complications. In addition, the "first-rate lawyers" are continually involved in complex litigation regarding insurance defense. Representative clients in the insurance sphere include Allstate, Farmers, Great Northwest, State Farm and USAA. Dana Christensen is one of the "preeminent litigators in the state of Montana," says one competitor. He focuses his practice mainly on medical malpractice defense, with some recent representation of lawyers in professional liability cases and class action defense thrown into the mix.

The six strategically-placed offices of the Billings-based **Crowley Haughey Hanson Toole & Dietrich** allow for a full range of litigation expertise. With more than 80 attorneys, including 40 dedicated to litigation, the firm is not only the largest in the state, but also in the Northern Rocky Mountain area. Bench strength is present in a series of litigation subspecialties, with multiple attorneys excelling in general commercial work, products liability, employment, oil and gas and construction matters. The Crowley firm is particularly active in the defense of insurance companies, with a client base that has grown to include more than 1,000 companies in the field.

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***Representative clients in the insurance sphere include Allstate, Farmers, Great Northwest, State Farm and USAA."***

*-Christensen Moore Cockrell Cummings & Axelberg*



## Local litigation stars

Randy Cox  
Boone Karlberg

William Crowley  
Boone Karlberg

Maxon Davis  
Davis Hatley Haffeman & Tighe

James Goetz  
Goetz Gallik & Baldwin

Matthew Hayhurst  
Boone Karlberg

William Evan Jones  
Garlington Lohn & Robinson

Tom Lewis  
Lewis Slovak & Kovacich

Bradley Luck  
Garlington Lohn & Robinson

Joe Maynard Jr  
Crowley Haughey Hanson Toole & Dietrich

John Maynard  
Crowley Haughey Hanson Toole & Dietrich

Ian McIntosh  
Crowley Haughey Hanson Toole & Dietrich

Robert Sheridan  
Garlington Lohn & Robinson

J David Slovak  
Lewis Slovak & Kovacich

Neil Ugrin  
Ugrin Alexander Zadick & Higgins

Gary Zadick  
Ugrin Alexander Zadick & Higgins

Clients attest the firm has provided “exceptional service over the years” and “they deliver very quickly to meet our needs.” Representing an array of industries, firm clients include Benefis, Billings Clinic, True Oil and CTA Architects.

**Joe Maynard Jr** is the firm’s go-to lawyer for worker’s compensation matters, as well as general personal injury matters and estate litigation. Boasting a range of legal experience, beginning with a stint as assistant attorney general for the State of Montana, followed by a role as administrator of the tort claims division and chief defense counsel for the state, **John Maynard** is recognized as “just a dynamite lawyer,” with a reputation in which “everybody knows him and loves him.” Working from the firm’s Helena office, his practice is principally focused on insurance defense, with an emphasis on medical malpractice, products liability and tort law. **Ian McIntosh** is a younger partner in the Bozeman office praised for his civil litigation defense practice. Focusing his practice on products liability and insurance bad faith, McIntosh recently worked on a major piece of litigation involving the defense of a corporation in a case involving a ski injury. Defense of Gehr Industries and Costco, he received a verdict in favor of his clients and achieved summary judgment on the plaintiffs’ claim for punitive damage. Plaintiffs alleged that a fire in a hot tub manufacturing plant was caused by a defective extension cord manufactured and sold by his respective clients. The case appealed to the US Court of Appeals for the Ninth Circuit Court and later settled for nuisance value. “McIntosh is becoming a very good lawyer at a young age,” says one peer.

The “exceptional” **Jeff Oven** is also singled out for his litigation expertise. As litigation chair for the firm, he specializes in banking litigation. In ongoing litigation, Oven and partner Fritz Pierce represent Frontline Processing in a case involving the winding down of a complex credit card processing relationship between their client, a Montana credit card processor and an Illinois bank. With claims of fraud, tortious interference and breach of contract, the case is pending in US District Court. Pierce and partner Len Smith are recognized for their “timely responses, staying on top of their cases, following defense counsel guidelines very carefully.” The two recently advised Billings Catholic Schools and Catholic Mutual in an injury suit filed by 16-year old high school student at Central Catholic High School in Billings who lost sight in one eye after a lacrosse injury during gym class. Through witnesses and experts, Smith and Pierce demonstrated the class was well-managed and that protective eye gear was not a standard in Montana’s high schools. A defense verdict was returned and the case remains on appeal.

“In Missoula, the Garlington firm is a

significant firm,” says one competitor of the team of 23 litigators within **Garlington Lohn & Robinson**. “If it is a case where there’s a lot at stake, they are most likely to be involved,” says another. The firm handles a wealth of major healthcare clients and local companies in its thriving commercial and professional litigation practice. Firm clients include Missoula Light and Water, the Milwaukee Railroad, the Anaconda Company, Allstate Insurance and Cigna Companies. While competitors have noted the retirement or impending retirement of several top players within the firm, including “top-dog” Gary Graham, the firm’s talent roster is still unbeatable.

**William Evan Jones** has tried more than 130 civil cases and has further litigation experience in several thousand other matters. He is lauded for his products liability, major negligence and insurance bad faith specialties. “An idol of mine,” says one peer. “He is first rate.” With more than 30 years under his belt at Garlington, **Robert Sheridan** developed strong products liability and transportation defense practices, with emphasis in the areas of railroad law and vehicular liability. “Bob has been at the top of the game for a long time,” says one competitor. “He is very well prepared.” **Bradley Luck** has “the reputation in the state as one of the best insurance bad faith lawyers.” He has a varied practice conducting insurance-related litigation, focusing on insurance bad faith matters, personal injury, professional negligence and workers’ compensation.

Since its inception in 1972, Bozeman boutique **Goetz Gallik & Baldwin** has developed a strong general litigation presence. Handling matters on the plaintiff’s side, the firm’s four partners and four associates focus on criminal and civil trial work as well as appellate matters. Practice areas include construction law, real estate, land use and zoning and professional malpractice.

**James Goetz** is “probably the preeminent litigator in the state of Montana,” according to one peer. “If I can’t handle a case, it gets sent to him.” Goetz specializes in personal injury matters on the plaintiff’s side, with a complementary appellate practice. He additionally takes on cases involving environmental and business matters.

Plaintiffs’ firm **Lewis Slovak & Kovacich** tends to focus on personal injury, insurance bad faith, toxic tort and environmental cases. With “powerhouses” **Tom Lewis** and **J David Slovak** making up one half of the boutique’s team of attorneys, the firm is a small, yet well-known, name in the state. Besides business and general litigation, Lewis focuses his practice on personal injury and environmental matters on the plaintiffs side. With an equally-focused practice on personal injury work and environmental litigation, Slovak is a “great plaintiff’s lawyer.” Peers continue to commend him and the firm,



## Future stars

Sara Berg  
Browning Kaleczyc Berry & Hoven

Randall Colbert  
Garlington Lohn & Robinson

Triel Culver  
Edwards Frickle & Culver

Kathleen DeSoto  
Garlington Lohn & Robinson

Sean Goicoechea  
Christensen Moore Cockrell Cummings & Axelberg

Natasha Prinzing Jones  
Boone Karlberg

Kimberly More  
Crowley Haughey Hanson Toole Dietrich

Jeff Oven  
Crowley Haughey Hanson Toole Dietrich

Scott Stearns  
Boone Karlberg

saying “if someone in my family was hurt, I’d go to him.”

In its Great Falls location, **Ugrin Alexander Zadick & Higgins** focuses most of its work within state boundaries. The nine-lawyer team of seven partners and two associates devotes a majority of its practice to litigation. The firm handles a large number of insurance disputes, in particular coverage claims and bad faith and defense work. In one recent matter, the firm represented a planned trustee in a bankruptcy case. A plaintiff client was suing the directors at the Montana Power Company, after the utility company sold all of its assets and changed its name to Touch America before filing for bankruptcy. A five-week trial is pending, with \$50-60 million at stake. Other representative clients include a number of physician and healthcare players, including Community Medical Center, Montana Healthcare Association and Northern Rockies Medical Center. Insurance clients include Mountain West Farm Bureau, Farmers Alliance Union and John Deere.

**Gary Zadick** has seen a rise in mediation and arbitration work, currently working on an arbitration board focusing on medical malpractice claims. In addition to his work as local counsel on the retrial of an oil refinery cleanup suit, Zadick spends a lot of time working on the zoning and licensing of an electricity generating plant. He handles a bunch of plaintiffs’ personal injury matters as well. Proven to hold a breadth of expertise in medical malpractice, professional liability, insurance bad faith and appellate matters, **Neil Ugrin** also boasts experience serving as counsel to the Attorney General and special counsel before the Montana Supreme Court’s Commission on Practice. Also noted is Kathy Lewis for her work in medical cases and appellate matters. “She’s certainly made great strides,” says one peer. In employment litigation, Roger Witt “does an awfully good job with employment claims against management.”

### Recommended firms

The Billings-based **Brown Law Firm** offers specialized counsel in several areas, including environmental, labor and employee and real estate, but has particular strength in insurance coverage and bad faith defense. The firm’s insurance clients include Chubb Group Insurance, Farmers Union Insurance, American International Group and John Deere Insurance. In general litigation, representative clients include Billings Federal Credit Union, Koch Industries, St Vincent Healthcare and Wyo-Ben. Brown Law Firm’s team of 15 attorneys are also equipped to handle matters related to negligence claims and banking matters.

Originally focusing on insurance defense work, Great Falls boutique **Davis Hatley Haffeman & Tighe** has expanded its practice to touch upon business litigation, class action work, products liability, employment law, environmental law and commercial litigation. The firm has come to the defense of a number of public entities, including the State of Montana. Other representative clients include Bridgestone Firestone North American Tire Company, Johnson & Johnson, Showdown Ski Area and Sun River Electric Cooperatives. Davis Hatley also represents numerous insurance companies on national and local levels, including Allied Insurance Group, Farmers Insurance, Liberty Mutual and Montana Municipal Insurance Authority.

With more than 60 cases tried to verdict under his belt, senior partner **Maxon Davis** is an “excellent lawyer” who focuses his practice on the defense side of civil litigation, with expertise in professional and products liability, employment and environmental matters and insurance defense. Peers attest he is a “great lawyer to defend a case” and “if I have work I must refer, I give it to him.”

Plaintiffs firm **Edwards Frickle & Culver’s** small team of six lawyers has seen big results. Recently, the firm represented a client in a major piece of litigation against NorthWestern Corporation. After the verdict, the defendants lost \$19 million. The Billings-based firm has brought suits against a bevy of large national corporations, including General Motors, Ford Motors, Payless Shoesource and Conoco. Matters handled by the firm include products liability, environmental litigation and suits under unfair insurance practices and insurance bad faith.

Situated in the plaintiff’s firm hotbed of Great Falls, **Hoyt & Blewett** is dedicated to handling major personal injury, wrongful death and complex damage cases arising out of medical malpractice, products liability, railroad, insurance bad faith claims and toxic tort and environmental damage claims. The firm recently represented clients in successful suits against Allstate Insurance and Farmers Insurance. Peers had good things to say about attorney Alexander Blewett III, regarded as “certainly one of the top plaintiffs lawyers in the state.”

The Butte-based civil litigation firm **Poore Roth & Robinson** is also recognized for its litigation expertise, in particular its handling of civil matters. The firm’s 12 attorneys are heavily involved in medical malpractice and insurance defense, with a client base that has grown to include Blue Cross Blue Shield of Montana, First Citizens Bank, John Deere and Wells Fargo.

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Triel D Culver's practice areas include commercial litigation, consumer law, environmental litigation, the federal employees' liability act (FELA), insurance bad faith, pension fraud, personal injury, products liability, railroad litigation, securities litigation, toxic torts and worksite accidents.

Mr Culver has been practising law in the State of Montana since 1993. He has been admitted to the US District Court, District of Montana, since 1996, the US District Court, District of Colorado and the US Court of Appeals, Ninth Circuit, since 2000.

He was born in Anchorage, Alaska and graduated from Helena High School in 1983. He received his college degree from Middlebury College (BA, 1988) and received his law degree from the University of Montana (JD, 1993).

Mr Culver was clerk to the Honorable Maurice R Colberg, Jr of the Montana Thirteenth Judicial District Court in 1994 and was the Deputy County Attorney, Yellowstone County, Montana, in 1995. Mr Culver is a member of State Bar of Montana, the American Bar Association, the American Association for Justice, the Montana Trial Lawyers Association, the National Association of Consumer Advocates, Phi Delta Phi and the Public Justice Foundation.

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For over a third of a century, Clifford Edwards has dedicated his law practice, throughout Montana and based in Billings, to representing individual Montanans and their small businesses. Clifford has championed the cause of Montanans injured through the fault of others; sued the insurance companies that have denied benefits that Montanans have coming; sued the toxic polluters that have fouled Montanans property, forcing them as toxic polluters to pay to clean-up the mess they left; and sued the manufacturers of defective products that have injured, maimed and killed Montanans; sued the Burlington Northern Santa Fe for damages they have inflicted on Montanans in personal injury as well as toxic pollution through their properties.

Clifford has had considerable success in the courtroom, and in the negotiation room, and has been able to significantly help many Montanans all over the state, to remedy wrongs that have been done to them. Clifford's efforts on behalf of his clients have received national attention. In 1994, he was invited into the most prestigious organization of trial lawyers that exists in America – the International Academy of Trial Lawyers. That association limits its membership to just 500 lawyers throughout the entire US. That is less than 1/10 of 1% of all of the lawyers practicing in America. The meetings that the Academy holds, around the country, have provided Clifford a network of trial lawyers of great note that has significantly broadened his ability to select expert witnesses, as well as share up to date litigation and trial techniques on the cutting edge in the US.

In 2002 he was inducted into the American College of Trial Lawyers, which is limited to 1% of attorneys throughout America, and similar benefits with his fellow college members exists like that of the International Academy.

Clifford was named the Montana Trial Lawyers of the year in 1996. He has been listed in the Best Lawyers in America (which is a selection based on the vote of his peers in the trial bar) since 1987.

He was selected as a delegate to a People to People-Professional Trial Lawyers Delegation to China in the fall of 2007. Only 45 members of the American Association of Justice were picked to represent the top trial lawyers in America in interacting with top lawyers throughout China.

In 2007, the American Trial Lawyers Association selected the top 100 trial lawyers in America and Clifford was included in that. He has also been listed in the Top 7 Mountain States "Super Lawyers", and Clifford has obtained two of the four highest jury verdicts ever in Montana's history of behalf of Montanans against major US Corporations. His most recent verdict in that category was in February of 2007.

Clifford is a third generation Montanan. Grandfather Edwards came to the great Judith Basin of central Montana in the early 1890's. His grandfather Cunningham came shortly after the turn of the century to that same area. Clifford's roots run deep in agriculture and Edwards cattle have grazed the Judith Basin for over 100 years now. The Edwards' family business interests include banking and aviation, but Clifford has a particular passion, which he has exercised for the last third of a century, of being Montana born and educated trial lawyer representing individual Montanans and their small businesses.