



## MICHAEL T. WILLIAMS

### Partner

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**Mike Williams has won national recognition for his defense of companies in high-stakes class action litigation. He also represents clients in complex commercial disputes, mass torts, catastrophic accidents, crisis management, and regulatory investigations. Mike is ranked in *Chambers USA* and was named a 2015 BTI Client Service All-Star. He serves on the firm's six-member management committee.**

### EDUCATION

Yale Law School, J.D., 2000  
*The Yale Law Journal*, Senior Editor

University of Notre Dame, B.A., Government and Economics, *summa cum laude*, 1997  
Phi Beta Kappa  
Pi Sigma Alpha  
Omicron Delta Epsilon

### GOVERNMENT SERVICE

Law Clerk to The Honorable Nancy Gertner, United States District Court for the District of Massachusetts, 2000-2001

### ADMISSIONS

Colorado

### HIGHLIGHTS

- Won a multimillion-dollar arbitration award for an energy company, recovering more than 15 times the last settlement offer made before trial.
- Represented a Fortune 20 company in an international arbitration hearing that resulted in a settlement, after the hearing concluded, for more than 90% of our client's claim.
- Won a motion to dismiss with prejudice a putative class action in federal court in California involving alleged violations of federal and state Fair Debt Collection Practices Act (FDCPA) laws.
- Won Seventh Circuit victory in a fee dispute for Whirlpool and Sears relating to front-loading washing machine litigation.
- Represent a Fortune 20 company in class action and insurance litigation arising from a six-alarm warehouse fire in 2015.
- Won a defense jury verdict in a \$66 million federal certified class action in Ohio involving allegedly "moldy" washing machines.
- Successfully represented an oil company in sweeping class action litigation arising from a deadly 2013 train derailment in Lac-Mégantic, Quebec.

### INDUSTRIES

- Consumer Products & Services
- Oil & Gas
- Financial Services
- Real Estate

### PRACTICE AREAS

- Class Actions
- Product Liability
- Commercial Litigation
- Mass Torts
- Personal Injury Defense
- Appellate

# MICHAEL T. WILLIAMS

## BIOGRAPHY

Mike Williams focuses his practice on complex business litigation, class actions, mass torts, and product liability litigation, including national coordination of regulatory investigations and related pattern litigation. He has represented international manufacturers, retailers, investment companies, small businesses, and individuals in more than 20 states across the country, including in trials, evidentiary hearings, and appeals.

As national class action defense counsel for Whirlpool Corporation since 2001, Mike and WTO have obtained numerous dismissals and non-class settlements, as well as defeated class certification, in cases alleging product defects, false advertising, unfair consumer practices, and environmental toxic torts. In 2014, Mike was one of the trial lawyers who successfully defended Whirlpool in a class action trial involving allegedly "moldy" washing machines (*Glazer v. Whirlpool*). Following three weeks of trial in the Northern District of Ohio, the jury returned a complete defense verdict for Whirlpool.

Mike also advises clients in various industries regarding safety investigations, pre-suit preparedness and emergency response to product recalls and catastrophic accidents, crisis management, television and print media relations, and implementation of business strategies for avoiding litigation and reducing liability. He is listed in *Chambers USA*, *Best Lawyers*, *The Legal 500 US*, *Benchmark Litigation*, and *Colorado Super Lawyers*. *The Legal 500 US* quotes clients and peers who describe Mike as "exceptional," "always available," "a great trial strategist," and possessing "the rare ability to communicate with business leaders in a meaningful way."

## CASES

- Won a multimillion-dollar arbitration award for an energy company, recovering more than 15 times the last settlement offer made before trial.
- Represented a Fortune 20 company in an international arbitration hearing that resulted in a settlement, after the hearing concluded, for more than 90% of our client's claim.
- *Yatooma v. OP Property Management et al.* (C.D. Cal. 2017) - Won a motion to dismiss with prejudice a putative class action in federal court in California. The plaintiff alleged violations of the Federal Fair Debt Collection Practices Act (FDCPA) and California's Rosenthal Fair Debt Collections Practices Act.
- *In re Sears, Roebuck & Co. Front-Loading Washer Products Liability Litigation* (7th Cir. 2017) - Won unanimous Seventh Circuit victory in a fee dispute for Whirlpool and Sears arising out of a certified federal class action lawsuit that WTO favorably settled after winning a defense verdict in the bellwether trial of related claims.
- Represent a Fortune 20 company in class action and insurance litigation arising from a six-alarm warehouse fire in 2015.
- *Glazer v. Whirlpool* (N.D. Ohio 2014) - Won a complete defense jury verdict for Whirlpool in a \$66 million certified class action trial in Ohio involving allegedly "moldy" washing machines.

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- Successfully represented a privately held oil company in mass torts litigation arising from a deadly 2013 train derailment in Lac-Mégantic, Quebec.
- *Brown v. Whirlpool* (N.D. Ohio 2014) - Obtained dismissal of class action allegations and 15 of 17 claims against Whirlpool in an environmental toxic tort case. Plaintiffs voluntarily dismissed their remaining claims after the court's ruling.
- Successfully negotiated a class settlement for Pilot Flying J as national resolution counsel in diesel rebate litigation.
- Represent Electrolux, a global leader in household and commercial appliances, in certain consumer class actions nationwide and in product liability matters filed in Colorado.
- *Tietsworth v. Sears* (N.D. Cal. 2013) - Defeated a motion to certify a nationwide breach of warranty class in a case alleging that certain Kenmore washing machines contained defective electronic control boards that caused the machines to malfunction.
- Successfully represent various manufacturers, retailers, and private labelers of diverse consumer products in regulatory inquiries and negotiations regarding the scope of voluntary recalls.
- *Rush v. Whirlpool* (W.D. Ark. 2008) - Defeated certification of a multistate class action in Arkansas federal court involving claims that certain Whirlpool-made refrigerators were defective.
- *White v. Ford*, 500 F.3d 963 (9th Cir. 2007) - Won a reversal and a new trial on the punitive damages phase of a product liability case originally tried by another firm in 1998. Persuaded the second jury to award only one-third of the amount awarded in the initial trial.
- Successfully defended a Colorado software company in a securities class action in which the client asked WTO to replace an international law firm as lead trial counsel 90 days before trial.
- *Conroy v. Dennis* (Colo. 2006) - Successfully tried to verdict a case in which our clients proved that Colorado's electronic voting systems had not been tested and certified in accordance with the law. The case led to major changes in Colorado election law.
- Successfully defended a large Colorado automobile dealer in a consumer class action in which the plaintiffs alleged violations of the federal Telephone Consumer Protection Act and sought hundreds of millions of dollars in damages. The trial court denied class certification, and the Colorado Court of Appeals affirmed that order on appeal, and the Colorado and U.S. Supreme Courts denied certiorari.

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- *Moore v. Bertuzzi* - Successfully defended the Vancouver Canucks NHL organization in a lawsuit brought by Colorado Avalanche player Steven Moore as a result of severe injuries he sustained during a hockey game. WTO obtained dismissal of the lawsuit on the grounds of lack of personal jurisdiction and forum non conveniens, and also obtained a six-figure award of attorney's fees and costs in favor of the Canucks organization and against Mr. Moore.

## REPRESENTATIVE CLIENTS

Aimco  
Electrolux  
General Electric - National Trial Counsel  
Whirlpool - National Trial Counsel

## BAR & COURT ADMISSIONS

Colorado  
U.S. Court of Appeals for the Eleventh Circuit  
U.S. Court of Appeals for the Fifth Circuit  
U.S. Court of Appeals for the Ninth Circuit  
U.S. Court of Appeals for the Seventh Circuit  
U.S. Court of Appeals for the Sixth Circuit  
U.S. District Court for the District of Colorado  
U.S. District Court for the Eastern District of Arkansas  
U.S. District Court for the Eastern District of Michigan  
U.S. District Court for the Northern District of Illinois  
U.S. District Court for the Northern District of Ohio  
U.S. District Court for the Southern District of Indiana  
U.S. District Court for the Western District of Arkansas  
U.S. District Court for the Western District of Michigan  
U.S. Supreme Court

## LEGAL MEMBERSHIPS, ACTIVITIES & HONORS

### *Chambers USA*

General Commercial Litigation, Colorado, 2016-2018

### BTI Consulting

Client Service All-Star, 2015

### *The Best Lawyers in America*

Denver Mass Tort Litigation/Class Actions Lawyer of the Year, 2016

Commercial Litigation, 2013-2018

Mass Tort/Class Actions Litigation, 2011-2018

Product Liability Litigation, 2014-2018

### *The Legal 500 US*

Litigation: Product Liability and Mass Tort Defense, 2007-2013, 2015

### *Benchmark Litigation*

Commercial Litigation - Colorado, 2014-2016, 2018

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Future Star - Colorado, 2013  
*Colorado Super Lawyers*  
Class Actions/Mass Torts, 2014-2018  
Top 100, 2016-2017  
*Law Week Colorado*  
"People's Choice" Class Action/Mass Tort Defense Lawyer, 2016-2017  
*Colorado Rising Stars*  
Class Action/Mass Torts, 2009-2013  
Member, Next Gen Advisory Board, Institute for Complex Litigation &  
Mass Claims, Emory Law School  
International Association of Defense Counsel  
Defense Research Institute  
The Network of Trial Law Firms  
Colorado Bar Association  
Denver Bar Association  
American Bar Association  
American Bar Foundation, Fellow

## ARTICLES & PRESENTATIONS

- Moderator and Panelist, "Class Actions – Case Filing and Structure," presented at Emory Law School Institute for Complex Litigation and Mass Claims (September 13, 2017).
- Panelist, "Crisis Response - Deftly Handling Your Company's Emergency," presented at The Network of Trial Lawyers Litigation Management: New Trends and Techniques (April 28, 2017).
- Panelist, "Fairness Determinations: Pitfalls and Challenges in Class Settlements," FJC / JPML Conference, Emory Law School Institute for Complex Litigation and Mass Claims (December 15, 2016).
- Moderator, "Getting Selected for Leadership – What Decisionmakers Look For and How to Overcome Common Barriers," Next Generation Conference, Emory Law School Institute for Complex Litigation and Mass Claims (December 14, 2016).
- "E-Discovery Lessons from the Battlefield," presented at the Network of Trial Law Firms' Litigation Management SuperCourse: Tribulations and Trials conference, Scottsdale, Arizona (April 25, 2014).
- "Why We Won the ACC Value Challenge, and What You Can Learn from It," presented at The Network of Trial Law Firms' Litigation Management SuperCourse: "From Trouble to Trial to Triumph," San Diego, California (November 10, 2012).
- "Emerging Issues in Consumer Products Class Actions," presented at CLE International's Class Actions: Plaintiff & Defense Perspectives Conference, Los Angeles, California (May 17, 2012).

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- "A Focus on Class Actions and MDL: Coordination and Other Winning Strategies for Resolution in Multiple Jurisdictions," presented at American Conference Institute's Mass Tort Products Liability Claims Conference, New York, New York (2010).
- "Early Case Evaluation in Managing Litigation," *PLI Current Law: Strategies and Best Practices*, at Chapter 16-1 (2009).
- "Early Case Evaluation in Managing Litigation," *Product Liability Litigation: Current Law, Strategies, and Best Practices*, Chapter 16, co-authored with Philip L. Harris and Linda L. Listrom, Practising Law Institute (2009).

## PERSONAL INTERESTS

Family (three young daughters), fly fishing, skiing