

TRIALS
ADVOCACY

DISPUTE RESOLUTION

ARBITRATIONS

APPEALS



WheelerTriggO'Donnell LLP

TRIAL TESTED™

MEDIATION

LITIGATION CLASS ACTIONS

MEDIATION VERDICTS TRIALS
DEFENSE

TRIALS
ADVOCACY

DISPUTE RESOLUTION

ARBITRATIONS

APPEALS

LITIGATION CLASS ACTIONS

Annual Review | 2015

MEDIATION VERDICTS TRIALS
DEFENSE

DEAR CLIENTS, COLLEAGUES & FRIENDS,

Thank you. Our success in 2015 is a reflection of the trust you place in our lawyers and staff. Every day, in each new matter, we commit to win your confidence anew.

In 2015, WTO lawyers won 12 defense verdicts and 11 appellate victories nationwide. The firm's noteworthy accomplishments included:

- All three members of WTO's management team went to trial in a single month—and won all three of their cases.
- WTO's healthcare attorneys won six consecutive professional liability trials in six months in five states.
- WTO lawyers won significant appeals before the Colorado Supreme Court and the U.S. Courts of Appeals for the Third, Fifth, and Tenth Circuits, and wrote a winning brief for a corporate client in a matter before the Federal Circuit.

WTO also made waves outside the courtroom, garnering significant nationwide recognitions for the quality of our practice:

- The *National Law Journal* named WTO to its 2015 Midsize Hot List. Only 20 firms in the nation were recognized, and just two of those were litigation-only firms.



Carolyn Fairless, Managing Partner | Hugh Gottschalk, President | Michael O'Donnell, Chairman

- *Chambers USA* ranked more WTO lawyers (6) for product liability and mass torts defense than any firm in the country, and ranked more WTO lawyers (6) for general commercial litigation than any firm in Colorado.
- *Vault* ranked WTO the #5 Best Midsize Law Firm to Work For in the nation based on its Annual Law Firm Associate Survey.

2015 was also an excellent year for the WTO Foundation, which since 2005 has positively affected thousands of lives and donated over \$1.4 million to dozens of dynamic organizations creating beneficial social change.

We appreciate your trust and support throughout the year. On behalf of the entire firm, we look forward to making 2016 a remarkable year with you.



“Expert trial practice.”

– *The Legal 500 US 2015*

TRIAL TESTED

Since 2010, Wheeler Trigg O'Donnell lawyers have won 44 complex trials and 33 significant appeals nationwide. WTO represents sophisticated clients in high-stakes civil trials, appeals, arbitrations, and related matters, including class actions, mass torts, and multidistrict litigation. The firm was established in 1998 and today numbers 100 lawyers.

- Aerospace & Aviation
- Antitrust & Competition
- Asbestos
- Automotive
- Banking
- Construction & Engineering
- Consumer Products
- Distribution & Franchising
- Energy
- Financial Services
- Food
- Healthcare
- Hospitality
- Industrial Equipment
- Insurance
- Legal Services
- Manufacturing
- Medical Devices
- Natural Resources
- Oil & Gas
- Pharmaceuticals
- Professional Services
- Real Estate
- Shipping
- Technology & Media
- Telecommunications
- Transportation
- Trucking

The ethical rules of some state bars require us to identify this Review as advertising material, and to remind you that the case descriptions included herein are not guarantees of similar results for all clients.

REPRESENTATIONS

Professional Liability

Won a unanimous Colorado Supreme Court opinion strongly upholding Colorado's strict privity rule in determining whether non-client beneficiaries may sue an estate lawyer for malpractice or professional liability. The Court adopted the most stringent test, as WTO advocated.

Prevailed before the Tenth Circuit Bankruptcy Appellate Panel, which affirmed a bankruptcy court's order of summary judgment for WTO's law firm client.

Obtained dismissal of a RICO claim brought against a national law firm and which exposed the client to treble damages.

“Some of the best trial lawyers and professional malpractice lawyers in the country.”
– Client comment to *U.S. News – Best Lawyers 2015*

Won a complete defense verdict in Wyoming for a \$19 million medical negligence lawsuit brought by a plaintiff who suffered a stroke following ER treatment for a head wound.

Won a complete defense jury verdict in Ohio for an obstetrician facing damages claims in excess of \$15 million. WTO's client died tragically and unexpectedly a month before trial, compounding our challenge to defend the care.

Won a complete defense jury verdict in California for an ER doctor facing over \$22 million in damages claims. WTO was called in just 10 days prior to the three-week trial. Seven other defendants settled, but WTO successfully defended our client on the facts.

Won a complete defense jury verdict for a spinal surgeon in a multimillion-dollar Colorado lawsuit. WTO effectively demonstrated that our client was not at fault for the patient's partial paralysis.

Won a complete defense jury verdict in a \$31 million medical malpractice lawsuit in Illinois involving a newborn who contracted meningitis.

Won a complete defense jury verdict in Ohio in a two-week, \$18 million trial involving alleged birth injuries. WTO lawyers were hired just three weeks before trial.

Product Liability

Won a complete defense jury verdict for an infant car seat manufacturer in a \$15 million federal failure-to-warn trial. This was the retrial of one claim from a 2012 case that WTO won.

Won a unanimous defense verdict for a major tire manufacturer following a three-week trial in Arizona state court. The plaintiff demanded \$20 million in actual and punitive damages. Our client was found not at fault on all claims.

Won reversal of a 2013 jury verdict against a major carmaker in a case that alleged strict liability and negligence relating

to a rear-end collision. The Court of Appeals concluded that the application of consumer expectation as a standalone test in Colorado's pattern jury instructions does not comply with Colorado law as established by the Colorado Supreme Court in *Camacho v. Honda Motor Co.* (1987).

“The product liability practice [at WTO] should be in the discussion as to whether they are the best in the country.”
– Client comment to *LMG Life Sciences 2015*

Contributed to a summary judgment win for a leading pharmaceutical company in an antidepressant birth defect case in Philadelphia. WTO lawyers cross-examined the plaintiffs' only expert to offer live testimony, leading to the exclusion of both of the plaintiffs' experts.

Commercial

Won a complete defense decision for a leading automaker in a five-year, \$50 million lawsuit culminating in a month-long trial in California Superior Court.

Won remand from the Colorado Court of Appeals, vacating the district court's order finding WTO's client in contempt of a settlement agreement. The ruling undid the district court's finding of \$10,000/day sanctions allegedly accruing against our

“A strong bench of attorneys who continue to draw praise.”

– *Chambers USA 2015*

REPRESENTATIONS

client since April 2014 and totaling over \$5 million in purported contempt fines.

Won a significant appeal for a major carmaker in the Missouri Court of Appeals relating to a 2014 jury trial WTO won.

“Very responsive, very friendly,
and really great at trial.”

– *Client comment to Chambers USA 2015*

Won a Fifth Circuit appeal upholding a trial court’s summary judgment for a tiremaker in a case alleging conspiracy to prevent the plaintiff from obtaining the company’s racing tires for use in the American Le Mans racing series.

Won summary judgment on fraud and *quantum meruit* claims asserted against clients in a shareholder dispute.

Representing multiple defendants in a \$1.2 billion federal antitrust class action.

Representing one of the nation’s largest healthcare franchisors in a federal court action challenging the legality of the underlying business model.

Representing a healthcare trade association in an \$80 million federal antitrust lawsuit alleging conspiracy among the trade association, health systems, and health insurance companies.

Personal Injury

Won complete affirmation for a major airline in a matter of first impression before the Colorado Court of Appeals. The appellant claimed she was injured while boarding a flight when a fellow passenger dropped his carry-on bag on her head.

Won a defense verdict for a national beverage distributor in a six-day jury trial. The plaintiff claimed a traumatic brain injury as a result of being struck with falling merchandise from a retail display.

Won summary judgment for a national hotel franchisor in a case alleging premises liability injury to a guest.

“An excellent strategic partner
in personal injury litigation.”

– *Client comment to U.S. News – Best Lawyers 2015*

Defending a Fortune 200 food producer in litigation arising out of a massive plant explosion. Plaintiffs have claimed more than \$100 million in damages.

Representing a leading public utility in personal injury and wrongful death litigation across eight states.

Trade Secrets & Intellectual Property

Won a directed verdict in a trade secrets trial for an oil and gas company. The plaintiff claimed theft of its technical geological data had caused more than \$1 billion in damages.

Obtained a temporary restraining order stopping the Telluride Film Festival from screening a hotly contested documentary. The federal injunction protected the name and image rights of one of the most renowned soul singers of all time. WTO was hired just 25 hours before the screening was to occur.

“Unanimously praised by industry peers.”

– *LMG Life Sciences 2015*

Won reversal of a temporary restraining order issued ex parte late on a Friday, effectively shutting down operations for a major manufacturing and distribution client, and subsequently won rejection of the injunction against WTO’s client.

Assisted a biotech company before the Federal Circuit, resulting in reversal of an adverse summary judgment and remand to the state court where our client had filed the complaint.

Insurance

Successfully represented seven codefendants in a massive property insurance class action lawsuit in Colorado. Plaintiffs claimed they were systematically underinsured in a “monumental” conspiracy, in violation of federal RICO and antitrust laws, involving virtually all property insurers in Colorado as well as industry trade groups. WTO served as liaison committee counsel, and the joint defense group ultimately won its motion to dismiss.

“Client reviews pour in for this powerful outfit.”

– *Benchmark Litigation 2015*

Won reversal from the Colorado Supreme Court for a leading nationwide insurance company in a precedent-setting ruling on the practice of “assigning” potential future personal injury settlements to third parties, such as medical lien companies.

“You’re probably hearing great things about this firm and it’s easy to see why.”

– Client comment to *Benchmark Litigation 2015*

Successfully defended a leading nationwide insurer in an insurance bad faith and breach of contract trial arising out of a devastating Colorado wildfire in 2012. The plaintiff voluntarily dismissed one claim the morning of trial, lost another, and was awarded just five figures on the third after having demanded more than \$1 million.

Obtained summary judgment in a putative federal class action, eliminating claims brought for alleged bad faith and Colorado Consumer Protection Act violations. The remaining contract claims are pending.

Representing major national insurers in class action litigation in Montana and Washington.

Class Action

Won a precedential Third Circuit opinion for a luxury carmaker, vacating a district court’s order to certify classes in six states to pursue claims that sunroofs in all models manufactured from 2003 to the present are defective.

Defending a Fortune 10 company in all litigation, including class actions, arising out of a catastrophic six-alarm warehouse fire that led the government to issue a shelter-in-place advisory while the fire burned.

Negotiated dismissal from high-stakes Canadian class action litigation for an oil and gas company involved in the deadliest train derailment in Canada since the 1800s. WTO attorneys conducted litigation in English and French to negotiate our client’s exit.

Defeated class certification in a complex oil and gas royalty dispute involving employee rights dating back to original North Sea asset discoveries.

Obtained voluntary dismissal of the final two surviving claims in toxic tort class action litigation in Ohio for a major appliance manufacturer. WTO won dismissal in 2014 of 15 of 17 claims.

Won dismissal of class action litigation in California for a maker of high-end wall ovens.

Defeated class certification for a leading oil and gas producer in a natural gas royalties underpayment case heard in federal court in Wyoming.

Successfully opposed plaintiffs’ certiorari petition to the Colorado Supreme Court, leaving in place a Court of Appeals ruling for our client and eliminating a \$750 million exposure threat in alleged moratory interest in an oil and gas royalties class action lawsuit.

“Houses highly experienced practitioners and an impressive new guard operating throughout the country.” – *Chambers USA 2015*

Representing a major insurer in federal class action litigation involving concussion and traumatic brain injury claims brought against the National Collegiate Athletic Association, the National Hockey League, and the United States Soccer Federation.

Employment

Successfully defended an out-of-state college in an action filed by the EEOC attempting to invalidate important terms of standard employee severance agreements. This action was filed as part of a national effort by the EEOC to significantly restrict the scope of severance agreements.

Advised a major international shipping company in addressing worker classification issues in 24 states.

A YEAR IN REVIEW

2015 By the Numbers

- 12 Defense verdicts nationwide
- 11 Appellate victories nationwide
- 10 New associates and 2 senior laterals
- 9 Courtroom victories for household-name clients
- 8 Associates with active courtroom roles in winning trials and appeals
- 7 Different states in which WTO lawyers won trials and appeals
- 6 The number of lawyers *Chambers USA* ranked, respectively, in the areas of nationwide product liability and mass torts defense and Colorado commercial litigation
- 5 WTO’s nationwide rank in *Vault’s* Midsize Law Firms to Work For
- 4 Case wins establishing precedent or involving first impression
- 3 Defense verdicts in a single month by members of WTO’s 3-lawyer management team
- 2 Emergency relief rulings within 1 day of being hired
- 1 Only defense firm to make the *National Law Journal’s* Midsize Hot List

WTO pursues excellence, relentlessly.
The rest follows.

REPRESENTATIVE CLIENTS

ABM Industries
ACE USA
Advanced Bionics
AEGIS Insurance Services
AIG
Aimco
Airbus Helicopters
Allied World National Assurance
Allstate Insurance

Anheuser-Busch
Antelope ORRI
Argus Event Staffing
Assurant
AT&T
Atmos Energy
AXIS Surplus Insurance
Beazley Group
BerkeleyMed
Berkshire Hathaway Homestate
BHP Billiton Petroleum
Bimbo Bakeries USA
Bonanza Creek Energy
Boston Scientific

BP America Production
Branta Exploration & Production
Center for Excellence in Higher Education (fka CollegeAmerica)
CenturyLink
Certain Underwriters at Lloyd's, London
Chiquita Fresh North America
City & County of Denver
CNA Insurance
Coca-Cola Co.
Colorado Ambulatory Surgery Center Association
Comfort Dental

ConocoPhillips
CoorsTek
Crown Equipment
Dana Corporation
Denver International Airport
Dillon Companies (King Soopers)
DISH Network
Einstein Noah Restaurant Group
Electrolux Home Products
Encana Oil & Gas
Emerge Medical
Endurance Specialty Holdings
Envision Healthcare
Evenflo

Farmers Insurance
Faurecia North America
FCA US (Fiat Chrysler Automobiles)
FedEx Freight
Ferrellgas
First American Title Insurance
FMC
Ford Motor Co.
Forestar Group
Fortune Brands Home & Security
Foster Wheeler
Fresenius Medical Care
FreshPack Produce
Furniture Row

General Electric
General Motors
GEO Group
Georgia-Pacific
Great-West Life & Annuity
Guidant
Harvest Natural Resources
HSS
IBM
Illinois Tool Works
InnovAge
Invacare
Isuzu Commercial Truck of America
Jet Center Partners

Represented a leading security company specializing in security for hospitals and airports in a wage and hour class action pending in California.

“An established trial boutique offering extensive labor and employment advice to a range of regional clients.”
— *Chambers USA 2015*

Successfully represented an aerospace contractor in a highly contentious lawsuit filed by the company's former CEO.

Successfully represented a major events staffing company in a high-stakes lawsuit brought by the company's former CEO.

Defended a resort developer in a civil action arising out of criminal charges filed against a third-party contractor.

Pro Bono

Representing a former university professor, in cooperation with the ACLU of Colorado, seeking a preliminary injunction to remedy the violation of constitutional rights to due process and freedom of speech after his former employer, a public university, banned him from campus without notice or an opportunity to be heard.

Submitted an amicus brief on behalf of the Main Street Business Alliance to the Colorado Court of Appeals in the highly

publicized case, *Masterpiece Bakery v. Craig*, which tested the limits of Colorado's antidiscrimination law. The Court of Appeals backed the position urged in the amicus brief.

Submitted an amicus brief on behalf of a coalition of religious organizations in *Taxpayers for Public Education v. Douglas County School District*. The Colorado Supreme Court adopted the position urged in the brief. The coalition included the Anti-Defamation League, the Baptist Joint Committee for Religious Liberty, the Central Conference of American Rabbis, Disciples Justice Action Network, Equal Partners in Faith, Hadassah, the Hindu American Foundation, and the Union for Reform Judaism.

WTO supported Colorado Lawyers for Colorado Veterans (CLCV) in delivering pro bono legal services to over 200 veterans who have sought legal counsel across Colorado since November 1, 2013.

RECOGNITIONS

Long-time firm client Whirlpool Corp. presented members of its national class action defense team at WTO with an award in appreciation of the firm's years of service and partnership.

Michelin North America presented WTO with its Legal Department Excellence Award for service and results.

WTO was selected to the *National Law Journal's* 2015 Midsize Hot List. Only 20 firms nationwide were recognized, and WTO is one of just two litigation boutiques and the only firm recognized that primarily defends high-stakes civil litigation nationwide.

WTO was ranked #5 nationwide in the Best Midsize Law Firms to Work For, based on *Vault's* 2015 Annual Law Firm Associate Survey.

Based on employee surveys, the *Denver Business Journal* named WTO to the Top 3 Best Places to Work in Denver in the extra-large company category. The firm was also the top-ranked law firm to work for across all size categories.

Benchmark Litigation 2016 ranked WTO among its top seven “Highly Recommended” Colorado litigation firms and a “Recommended” firm for nationwide Product Liability Defense. For the second year in a row, **Carolyn Fairless** was named to *Benchmark's* Top 250 Women in Litigation list. *Benchmark* also named **Mal Wheeler** to its Top 100 Trial Lawyers in America for the second consecutive year. *Benchmark* lists 12 WTO lawyers—**Scott Barker, Mark Cloutre, Carolyn Fairless, John Fitzpatrick, Hugh Gottschalk, Jim Hooper, Kevin Kuhn, Habib Nasrullah, Mike O'Donnell, Ed Stewart, Mal Wheeler, and Mike Williams**—on its list of 54 Colorado Litigation Stars.

Chambers USA 2015 ranks WTO in Band 2 nationwide for product liability and mass torts defense. In Colorado, the firm is recognized in Band 1 for general commercial litigation and Band

Johns Manville
 Johnson & Johnson
 Kia Motors America
 Kubota Tractor
 Larry H. Miller Group
 Level 3 Communications
 Life Care Legal & Risk Services
 LifePoint Health
 LivWell
 Los Angeles Department of Water
 & Power
 Marriott Hotel Services
 McKesson
 Medical Mutual Insurance

Medical Protective
 MedStar Health
 Mercedes-Benz USA
 Michelin North America
 Motor Coach Industries
 MWH Global
 NGL Energy Partners
 Nissan North America
 Noble Energy
 Northstar Rx
 Northwestern Medical Faculty
 Foundation
 Old Republic National Title
 Insurance

OneBeacon Professional Insurance
 Peaberry Coffee
 Pediatrix Medical Group
 Pepsi Cola Bottling Group
 Pfizer
 Physicians Insurance
 PNC Bank N.A.
 Polaris Industries
 Power Mount
 Premier Insurance
 Presbyterian Hospital Services (NM)
 ProAssurance Companies
 QEP Resources
 QFA Royalties (Quiznos)

Quest Diagnostics
 Red Robin Gourmet Burgers
 Risk Management Services Group
 San Juan Medical Center (NM)
 Sanjel Corporation
 SCL Health
 Sears Holding
 Singtex Industrial
 Steak 'n Shake
 Suncor Energy
 Swiss Re
 Tesoro Companies
 The Doctors Company
 The Hartford

The Ritz-Carlton, Denver
 Toyota Motor Sales U.S.A.
 Tracker Resource Development
 TransMontaigne Product Services
 Travelers
 United Airlines
 United Continental Holdings
 United Services Automobile
 Association
 Universal Health Services
 University of Colorado
 Vail Resorts
 Valero Energy
 Vanguard Natural Resources

Volkswagen Group of America
 Volvo Cars of North America
 Western Aero Services and Repair
 Western Litigation
 Whirlpool
 WhiteWave Foods
 Xcel Energy
 Yahoo!
 Yum! Brands (Pizza Hut)
 Zurich North America

3 for labor and employment litigation. *Chambers* recognized six WTO lawyers for product liability and mass torts defense nationwide, more than any other firm in the country. They are **John Fitzpatrick, Jim Hooper, Mike O'Donnell, Jack Trigg, Mal Wheeler, and Mike Williams**. *Chambers* also recognized six WTO lawyers for commercial litigation in Colorado, more than any other firm in the state. They are **Scott Barker, Carolyn Fairless, John Fitzpatrick, Hugh Gottschalk, Mike O'Donnell, and Mal Wheeler**.

U.S. News – Best Lawyers ranked WTO in Tier 1 in Colorado in 11 litigation practice areas.

The list of *Super Lawyers*® selected in 2015 and published in March 2016 includes 27 WTO lawyers, 17 of whom are on the Top 100 list and four of whom are on the Top 50 women lawyers list. **Mike O'Donnell** is the #1 ranked lawyer in Colorado for the fourth consecutive year. The Top 50 women lawyers include **Miko Brown, Carolyn Fairless, Tammy Westerberg, and Gwen Young**. The remaining Top 100 lawyers include **Scott Barker, Mark**

Clouatre, John Fitzpatrick, Hugh Gottschalk, Kevin Kuhn, Ray Martin, Craig May, Habib Nasrullah, Terence Ridley, Ed Stewart, Jack Trigg, John Vaught, Mal Wheeler, and Mike Williams.

The *Legal 500 U.S. 2015* ranks WTO nationwide among

- the top three firms for product liability and mass tort defense for automotive & transport,
- the top 14 firms for product liability and mass tort defense for consumer products, and
- the top 20 firms for product liability and mass tort defense for pharmaceuticals and medical devices.

The *Legal 500 U.S.* recommends **John Fitzpatrick, Jim Hooper, Habib Nasrullah, Ed Stewart, Jack Trigg, and Mike Williams**.

Best Lawyers selected three WTO partners as lawyers of the year for 2016: **Hugh Gottschalk** for bet-the-company litigation, **Kevin Kuhn** for professional malpractice law – defendants, and **Mike Williams** for mass tort litigation/class actions – defendants.

Carolyn Fairless was named by the Colorado Women's Bar Association Foundation as one of the "five female attorneys who will make an impact over the next 10 years." Fairless was honored at the Foundation's premier annual event.

Hugh Gottschalk was selected among the top 28 energy-industry lawyers in Denver in the *Denver Business Journal's* Who's Who in Energy, 2015.

Mike Williams was named one of five BTI Client Service All-Stars for product liability nationwide.

Jim Hooper, Mike O'Donnell, Jack Trigg, and Mal Wheeler are among the six Colorado lawyers selected to Who's Who Legal: Life Sciences 2015 for Product Liability Defense.

Tammy Westerberg was named a 2015 Top Woman Lawyer by *Law Week Colorado*.

LaMar Jost was named to the *Denver Business Journal's* 2015 40 Under 40.



PUBLIC SERVICE

Many WTO lawyers serve on boards of directors of nonprofit organizations and perform other public service.

Kendra Beckwith was appointed to the Colorado Supreme Court Committee on Jury Instructions.

Miko Brown was elected President of the Asian Pacific American Bar Association of Colorado.

Michele Choe was appointed Vice-Chair of the Professional Liability Committee for the Colorado Defense Lawyers Association.

Mark Clouatre was elected Board Chair of the Colorado Judicial Institute.

Erin Frohardt was selected as a member of the Denver Kids, Inc. Young Professionals Council.

Hugh Gottschalk was selected to the committee to lead the nationwide search for the next Dean of Colorado Law.

Cedric Logan was elected to the Board of Directors of Purple Door Coffee, a specialty coffee shop that employs young adults seeking to leave homelessness behind.

Joel Neckers was appointed to the "Sound Advice" subcommittee of the ABA's Class Action and Derivative Suits Committee.

Reid Neureiter was appointed Chair of the Committee on Conduct for the United States District Court for the District of Colorado.

Mike O'Donnell was selected to the Federal Judicial Selection Committee for U.S. Senator Cory Gardner.

Katie Reilly was selected to the Board of Directors of the Colorado Women's Bar Association Foundation and to serve as co-chair of the CEO Selection Committee for Denver Kids, Inc.

Terence Ridley was elected to serve as a director on the board of the Federation of Defense & Corporate Counsel and became a founding member of the EC Lawyers Network, a national network of insurance bad faith defense lawyers.

John Strelman was selected to the TLC Meals on Wheels Board of Directors.

PARTNERS



Scott Barker



Galen Bellamy



Miko Brown



Mark Clouatre



Joseph Farchione



John Fitzpatrick



Hugh Gottschalk



Peter Herzog



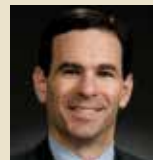
Steven Kelso



Kevin Kuhn



Raymond Martin



Craig May



Erik Nadolink



Habib Nasrullah



Joel Neckers



Michael O'Donnell



Kara Rosenthal



David Schaller



Jessica Scott



Evan Stephenson



Andrew Unthank



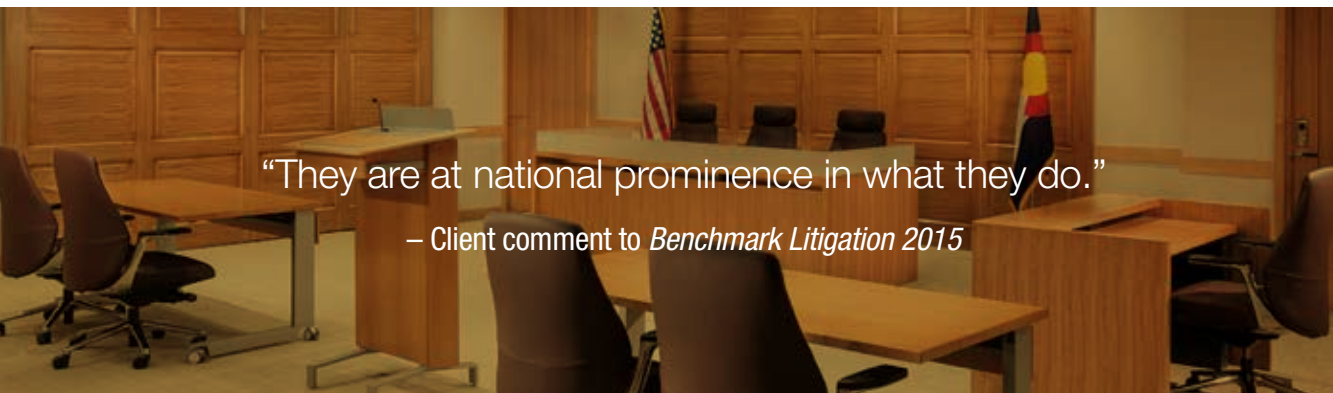
John Vaught



Theresa Wardon



Tamera Westerberg



"They are at national prominence in what they do."

– Client comment to *Benchmark Litigation 2015*

LAWYER NEWS



Bryan Cross



Andrew Efav



Carolyn Fairless



James Hooper



Matthew Johnson



LaMar Jost



Christopher Montville



Jeremy Moseley



Andrew Myers



Stephen Oertle



Kathryn Reilly



Terence Ridley



Edward Stewart



John Streehman



Jack Trigg



Michael Williams



Gwen Young

Two senior laterals joined the firm in January, 2015.

Peter Herzog, a 1985 graduate of Washington University School of Law, joined the firm as a partner. Peter adds his accomplishments as a trial lawyer and his extensive experience defending corporations in complex commercial and consumer class action litigation to WTO's already deep bench. Peter is formerly a partner with Bryan Cave LLP.

Thomas Palazzolo, a 1992 graduate, first in his class, of Washington University School of Law, joined the firm as of counsel. Tom focuses his practice on consumer fraud and warranty class action defenses.

Two lawyers were promoted to partner, effective January 1, 2016.

Stephen Oertle, a 2007 *cum laude* graduate of the University of Michigan Law School, has built a successful practice defending manufacturing corporations, service companies, and hospitals in complex commercial, product liability, and personal injury litigation. Stephen is a former captain in the United States Marine Corps and a veteran of the Iraq war.

Theresa Wardon, a 2008 *magna cum laude* graduate of Northwestern University School of Law, represents product manufacturers in personal injury and product liability cases, including class and mass actions. Theresa serves on the Board of Directors for The Gathering Place, Denver's only day shelter for women, children, and transgender individuals experiencing poverty.

Two lawyers became of counsel, effective January 1, 2016.

Kendra Beckwith, a 2008 graduate of the University of Denver Sturm College of Law, has particular experience defending oil and

gas companies in royalties disputes and lawyers and law firms in malpractice claims. Kendra has won appeals before the Tenth Circuit and the Colorado Supreme Court.

Michele Choe, a 2003 graduate of the University of Iowa College of Law, has developed a strong record defending hospitals and health care providers against medical malpractice claims and pharmaceutical and medical device makers against product liability lawsuits.

Ten associates joined the firm, and one staff counsel* was promoted to associate.

Stephanie Foote* (Denver 2012); **Elliott Hood** (Northwestern 2012, Clerk—Tenth Circuit Court of Appeals); **Kasey Johnson** (Denver 2012, Clerk—U.S. Attorney's Office); **Laura McNabb** (Colorado 2012, Clerk—Tenth Circuit Court of Appeals & Colorado Supreme Court); **Kate Mercer-Lawson** (Indiana 2011, Clerk—Tenth Circuit Court of Appeals & S.D. Indiana); **Michael Mulvania** (Michigan 2011, Clerk—Ninth Circuit Court of Appeals); **Shawn Neal** (Denver 2014, Clerk—Colorado Court of Appeals); **Pawan Nelson** (Columbia 2009, Clerk—E.D. New York); **Tommy Olsen** (Georgetown 2011, Clerk—D. Colorado); **Randy Robinson** (Denver 2013, Clerk—Colorado Supreme Court); **Marissa Ronk** (Harvard 2011, Clerk—E.D. Wisconsin & Department of Justice, Civil Division).

One legal resident* became staff counsel, and one legal resident joined the firm.

Natasha Schissler* (Denver 2014); **Kayla Scroggins** (Denver 2015, Clerk—20th Judicial District Attorney's Office & U.S. Attorney's Office).

“An impressive firm with a tremendous bench.”

— Client comment to *Chambers USA 2015*

Wheeler Trigg O'Donnell FOUNDATION

The Wheeler Trigg O'Donnell Foundation (WTOF) was established in September of 2005 to provide, through charitable activities and programs, opportunities for current and former Wheeler Trigg O'Donnell LLP (WTO) lawyers, staff, and their families to build a caring community and to reach out to others.

Since it was established, WTOF has donated over \$1.4 million and thousands of hours of volunteer time to various nonprofit organizations working in the areas of legal services, education, homelessness and poverty, youth services, hunger, animal protection, disease treatment and prevention, military veterans, and arts and culture.

2015 HIGHLIGHTS

Denver Public Schools Foundation champions public education to help every child succeed. Partnering with a Denver public elementary school, WTOF provided 11 volunteer tutors who virtually tutor first-graders in literacy.

The Gathering Place is Denver's only daytime shelter for women, children, and transgender individuals experiencing homelessness and poverty. WTO volunteers cooked and served hot breakfasts to more than 100 women and children on three separate mornings in the past year. One woman made a point of saying, "Thanks for serving us breakfast. It's a kind gesture that makes us feel normal as we struggle to get back on our feet."

Metro CareRing operates one of the largest food pantries in Denver. WTO raised \$16,206 in cash and nonperishable food items in the Denver Bar Association's annual citywide law firm donation drive.

Legal Aid Foundation of Colorado raises money to provide free legal assistance to low-income Coloradans facing civil legal problems. WTO's non-partner lawyers donated over \$11,765 to a successful citywide law firm associates' fundraising campaign.

Denver Dumb Friends League rescues, shelters, and adopts out injured, abused, and neglected animals. WTOF volunteers raised over \$10,000 and walked with family, friends, and pets as a team in the Furry Scurry.

Movember Foundation raises funds to treat and prevent prostate cancer. WTO personnel donned mustaches to raise awareness and money at our fourth annual Movember mustache fundraiser. WTO raised \$420 for the Movember Foundation.

Denver Kids, Inc. offers one-to-one counseling and mentoring to help at-risk K-12 Denver Public School students graduate from high school. WTOF raised \$4,600 and three boxes of schools supplies to donate.

Peach's Neet Feet paints and distributes personalized shoes to children who have experienced hardship in the form of chronic illness and disability. WTO lawyers and staff raised \$4,850 for Peach's Neet Feet.

Rocky Mountain Dawgs Project was established in honor of Cpl. David Michael Sonka, a son of one of WTO's staff, and his multi-purpose canine, both of whom were killed in action in Afghanistan. WTOF raised \$2,320.





In 2015, WTOF donated over \$196,900 to more than 100 nonprofit organizations, including:

24 Hours of Booty | 4 Paws 4 Life Rescue | ACLU Foundation of Colorado | ALS Association | Alzheimer's Association | American Foundation for Suicide Prevention | American Cancer Society | American Heart Association | American Red Cross | Animal Rescue of the Rockies | ArtReach | Arvada Community Food Bank | Audubon Society | Autism Speaks | Brady Center | Brooke Wunnicke Endowed Scholarship Fund | CASA Adams & Broomfield Counties | Cat Care Society | Catholic Charities | Catholic Relief Services | Center for Legal Inclusiveness | Center for Work Education and Employment | Central Visitation Program | Colorado Asian Pacific American Bar Foundation | Colorado Coalition for the Homeless | Colorado GLBT Bar Association Foundation | Colorado Judicial Institute | Colorado Law Classic | Colorado Public Radio | Colorado Women's Bar Association | Continuum of Colorado | Courage Classic—Children's Hospital | Crisis Center | Cure SMA | Cycle for Survival | Denver Bar Association | Denver Dumb Friends League | Denver Kids, Inc. | Denver Polo Classic | Denver Public Schools Foundation | Denver Rescue Mission | Denver Scholarship Foundation | Denver School of Science and Technology Baseball Team | Denver Urban Debate League | Denver Urban Scholars | DU Institute for the Advancement of American Legal System Fund | DU Sturm College of Law | Equal Justice Works | Hospite of Siouland | House of Neighborly Service | Innovations for Learning—TutorMate | Invest in Kids | Jefferson County

Library Foundation | Junior Achievement | Karis Community | Legal Aid Foundation of Colorado | Lighthouse Writers Workshop | Lois Lenski Elementary PTO | Lupus Foundation of America | March of Dimes Foundation | MaxFund Animal Adoption Center | Meals on Wheels | Melanoma Research Foundation | Metro CareRing | Mile High Weimaraner Rescue | Miners Alley Playhouse | Movember Foundation | National Center for State Courts | New Foundations | NITA—Bill Keating Memorial Scholarship | Northwestern University Jane Raley Memorial Fund | Nyamototo Foundation Scholarship | Open Door Ministries | Operation Food Search | Outreach United Resource Center, Inc. | Paralyzed Veterans of America | Peach's Neet Feet | Powell Middle School PTO | Project Angel Heart | Project Greer Street | Riley Children's Foundation | Rocky Mountain Dawgs Project | Rocky Mountain PBS | Ronald McDonald House | Sacred Heart House | Sam Cary Scholarship Endowment Fund | Spina Bifida Association | St. Francis Center | St. Mary's Academy of the Sisters of Loretto | SunGate Kids, Inc. | Susan G. Komen 3-Day | The Bridge Project | The Denver Foundation | The Denver Hospice | The Gathering Place | The Principia | United Way | University of Colorado Law School | Urban Peak | Valero Energy Foundation | Walking for Kids—Golf Tournament Sponsorship | WellStar Community Hospice | Whirlpool Collective Impact Fund | Women's Bean Project | Women's Foundation of Colorado | Wounded Warrior Project



For more information on the WTO Foundation, visit us at <http://www.wtotrial.com/Foundation.aspx>



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“The enthusiasm is infectious at WTO.”

– *The National Law Journal* 2015



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