

# LAW WEEK COLORADO

## Top Women Lawyers 2015

### TAMERA WESTERBERG

By **Tony Flesor**  
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TAMERA WESTERBERG is one person lawyers should want to call when they need a lawyer.

The Wheeler Trigg O'Donnell partner is continuing to develop a practice in professional liability defense, and she prides herself on favorably settling cases or getting them dismissed outright. As a lawyer who represents others, she understands the concern that comes about when someone's livelihood is under attack, but she also understands damage control.

She splits her practice between professional liability and complex commercial litigation, but she said the personal quality of professional liability cases holds her interest. That personal aspect makes her "feel more complete," she said.

"I really get to know my client when I'm doing professional liability because it's so personal," she said. "It's not just a lawsuit, it's their livelihood."

That understanding is what makes her effective. She values discretion in the cases, just as her clients do. She said she approaches her cases from the outside-in and looks at the "big picture" in each case — that often involves analyzing the reputational harm that could come to her clients if a case were played up in the news.

Often, clients think about their insurance or the effect a liability claim could have on their bottom line, but they don't think about the reputational harm that can come with it, which can be just as significant, she said. She thinks of that before her clients do and thinks about what happens if a case hits the papers and she's not able to control it. And she thinks about what that would do to their reputation or livelihood.



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"I think everyone wants vindication, that's something I'd think of as well," she said. "Sometimes vindication is not necessarily the biggest priority, even if you do believe you've done it 100 percent right, because other people can look at it differently."

In a recent case, she represented a client who was involved in complex land transactions with many groups of plaintiffs who were involved with her client in order to save on both federal and state taxes.

"They're complex. Tax laws, as you know, you can drive a truck through," she said. "My client is extremely bright, very sophisticated and creative, and he was able to use the tax laws to these investors' advantage. And quite frankly, at the time, those transactions were legal."

Westerberg was able to negotiate a final settlement in 2014 that kept her client out of court and allowed him to keep his license and continue to practice.

In general, she said her professional liability work is rewarding because she gets to save reputations as well as licenses.

In addition to resolving four major disputes in the past year, Westerberg has been increasingly involved in the firm's white collar investigations practice, which is something she did "in a previous life," she said.

The practice, which includes six to eight WTO attorneys, is a fun departure from her commercial and professional liability practices, she said. "Those are real fire drills when you get something from the DOJ or U.S. Attorney's

Office that you have to jump on right away." It's also an opportunity for her to work with different attorneys at the firm.

Outside of her work at Wheeler Trigg O'Donnell, Westerberg also stays busy with her four kids. She said the family keeps very full schedules with two to three sports per child during the spring and summer. "We divide and conquer as best we can," she said. "Sometimes we don't conquer so well but we divide very well."

By being involved in activities with her kids, she said she also has the opportunity to start them young in seeing that girls can do the same things as boys. "Girls need to understand that they can do anything and boys do, too." •

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