

LAW WEEK COLORADO

Wheeler Trigg O'Donnell Celebrates 20 Years

Litigation firm proud of having Denver roots and national client base

BY JULIA CARDI
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Wheeler Trigg O'Donnell on Feb. 1 marked 20 years of being "trial tested."

The litigation firm started in Denver as Wheeler Trigg Kennedy in 1998 with 19 lawyers and 34 staff. It was founded by original named partners Malcolm Wheeler, Jack Trigg and Mark Kennedy, along with Mike O'Donnell and Paul Hultin.

At that time, two clients represented 70 percent of the firm's work. Now, WTO has 95 lawyers and 105 staff in Denver and St. Louis.

O'Donnell, who has chaired the firm from the beginning and became a named partner after Mark Kennedy died in 2009, said growth has come from its national reputation, which brings a variety of clients, especially because fewer and fewer firms focus on litigation. The firm has also brought in more lawyers through 11 lateral moves over 20 years from firms both inside and outside Colorado, including Cleveland, St. Louis and Virginia.

"We always look first at the character of the people before we do geography," O'Donnell said, adding that Denver's central location in the U.S. has provided an advantage for having a national practice. It's relatively easy to travel to the coasts, and factors like technological advancements have made it much easier to serve clients from all over the country, some of which include Michelin, General Electric, Pfizer and Mercedes-Benz.

Although WTO has seen sustained growth, the firm has never set must-

reach expansion goals, Trigg said. Instead, it has kept the focus on the quality of its work.

"We would never grow for growth's sake," he said.

The firm has received a host of accolades over the years, for both its litigation and workplace culture. WTO has taken or contributed to high-profile cases before the U.S. Supreme Court, including *Geier v. American Honda* and *Golan v. Holder*. The court held in *Geier v. American Honda* in 2000 that the Federal Vehicle Safety Standard preempted a District of Columbia rule that vehicles must contain driver-side airbags.

WTO dedicated pro bono resources to *Golan v. Holder*, originally filed in 2001 but decided by the Supreme Court in 2012. The court ruled Section 514 of the Uruguay Round Agreements Act does not exceed Congress's authority under the Copyright Clause.

O'Donnell added Colorado's benign reputation may also make it easier to serve national clients. "There's really no biases and prejudices against Colorado," he said. "We're kind of like Switzerland. People have fond thoughts of Colorado." The ability to charge lower rates also gives WTO an advantage, and many of the firm's lawyers have previously worked at top firms in bigger cities.

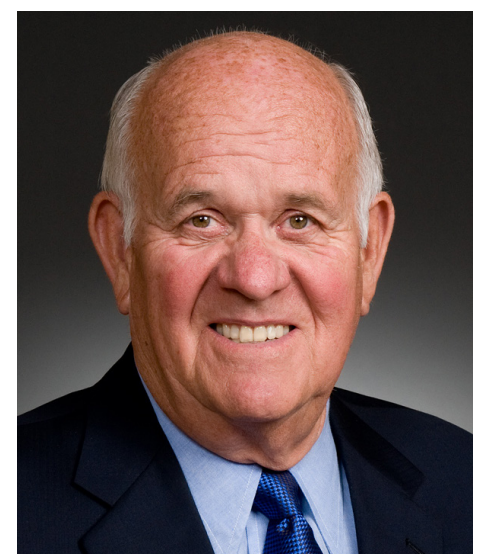
"We're attractive to clients because we've got national trial experience but at Denver rates," O'Donnell said.

FIRM CULTURE

The partners have seen a lot of



MIKE O'DONNELL



JACK TRIGG

change in the legal landscape in 20 years. Although WTO has built its reputation around litigation work, Trigg said he believes litigation generally has become unnecessarily aggressive.

"Some lawyers feel the need to make everything a fight," he said.

But both Trigg and O'Donnell spoke of the sense of camaraderie and community at the firm, and O'Donnell said the firm aims for an entrepreneurial culture that stays away from overmanagement. He has often talked about the mantra "Client, firm, self."

"What's best for the client, figure that out. What's best for the firm, figure that out," he said. "And almost always, when you figure those two out, you don't even get to what's best for you. Because what's best for the client and what's best for the firm is best for you."

Trigg said he's especially proud of

the WTO Foundation's establishment, which has donated almost \$2 million to nonprofit organizations since its formation in 2005.

O'Donnell said the firm's efforts with the foundation fit another motto to "do the right thing in the smartest way." Rather than simply writing checks to charitable organizations, he said, members take an active role in volunteer efforts to benefit from a sense of community.

"We don't like to just give out money to charities. We like to go and work there," he said. "Of course, anytime you give, you get more."

Trigg said in another 20 years, he hopes WTO will have continued fulfilling its goals of having top-notch litigation work done by excellent lawyers.

"It's fun to come to work because everyone respects one another." •

—Julia Card, JCardi@circuitmedia.com

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—WTO founding partner Jack Trigg