



NICOLE L. JONES

Associate

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Nicole Jones represents clients in high-exposure torts cases, professional liability matters, government investigations, and commercial disputes. She has drafted and argued successful dispositive motions, has experience handling 30b6 witness prep and depositions, managing discovery teams, and conducting investigations. Nicole has significant experience defending clients in sensitive cases involving physical and sexual abuse claims. Additionally, as a former appellate law clerk at both the Colorado Supreme Court and the Colorado Court of Appeals, Nicole brings valuable appellate knowledge and experience and has served as Amicus Curiae in appellate matte.

EDUCATION

University of Denver Sturm College of Law, J.D., 2017, *Order of the Coif*, Managing Editor, *Denver Law Review*, Provost Scholar, Corporate and Commercial Law Certificate

University of Colorado at Colorado Springs, BA., 2003, *magna cum laude*, Visual Arts

GOVERNMENT SERVICE

Law Clerk to The Honorable Carlos A. Samour, Jr., Colorado Supreme Court

Law Clerk to The Honorable Diana L. Terry, Colorado Court of Appeals

Law Clerk, U.S. Attorney's Office for the District of Colorado

Judicial Intern to The Honorable Kristen L. Mix, U.S. District Court for the District of Colorado

Legal Intern, U.S. Securities & Exchange Commission, Student Honor's Program

OTHER EXPERIENCE

Fortis Law Partners
Law Clerk

ADMISSIONS

Colorado

HIGHLIGHTS

- Represented a residential treatment facility in New Mexico in 10 cases involving negligence claims including sexual and physical abuse allegations.
- Representing a residential treatment facility in several high exposure sexual torts cases involving allegations against a treatment foster care agency managed by the client, in which plaintiffs are demanding hundreds of millions of dollars.
- Drafted amicus brief for the University of Colorado Law School's Korey Wise Innocence Project, which successfully convinced the Colorado Supreme Court to revisit the standard for appointing indigent pro se criminal defendants post-conviction counsel on a petition alleging ineffective assistance of trial counsel for the failure to investigate forensic evidence. Drafted amicus brief on the merits urging the Court to adopt a pleading standard promoting indigent pro se and incarcerated petitioners access to justice and protecting their right to effective assistance of counsel.
- Secured a very favorable settlement for a fund manager involved in an SEC investigation.
- Won a discovery dispute in federal court regarding information crucial to establishing damages and asserting a defense to the affirmative claims.
- Defending a healthcare professional in a high-profile and potentially high-exposure wrongful death case arising out of the death of a mentally disabled person in a house fire.
- Secured a dismissal with prejudice after drafting a dispositive motion and receiving the plaintiff's concession and stipulation to dismiss the case, which involved negligence claims against a residential treatment facility and allegations of sexual abuse against co-defendants foster care parents and regulatory agency.

INDUSTRIES

- Healthcare

PRACTICE AREAS

- Healthcare Professional Liability

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- Consumer Products & Services
- Financial Services
- Appellate
- Commercial Litigation
- Securities Litigation & Enforcement Defense

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BIOGRAPHY

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While in law school, Nicole served several internships, including in the Colorado U.S. Attorney's Office and the U.S. Securities & Exchange Commission's Enforcement Division. She was also the recipient of numerous awards, including the Clarence L. Bartholic Legal Profession Award, the Hartje Objective Writing Award, the Reese Persuasive Writing Award, and Scholastic Excellence Awards, which are given to the top law student in each class. Additionally, Nicole served as Managing Editor of the *Denver Law Review* and as a contributor to the law school's securities law blog.

CASES

- Represented a residential treatment facility in New Mexico in 10 cases involving negligence claims including sexual and physical abuse allegations.
- Representing a residential treatment facility in several high exposure sexual torts cases involving allegations against a treatment foster care agency managed by the client, in which plaintiffs are demanding hundreds of millions of dollars.
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- Secured a very favorable settlement for a fund manager involved in an SEC investigation.
- Won a discovery dispute in federal court regarding information crucial to establishing damages and asserting a defense to the affirmative claims.
- Defending a healthcare professional in a high-profile and potentially high-exposure wrongful death case arising out of the death of a mentally disabled person in a house fire.

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- Secured a dismissal with prejudice after drafting a dispositive motion and receiving the plaintiff's concession and stipulation to dismiss the case, which involved negligence claims against a residential treatment facility and allegations of sexual abuse against co-defendants foster care parents and regulatory agency.
- Secured a dismissal with prejudice after drafting and arguing a dispositive motion for a residential treatment facility facing negligence allegations.
- Representing a healthcare billing services company in a \$35 million breach of contract case involving improper solicitation of the client's employees, consultants, and former clients and the use of confidential information in a scheme to build a competing billing services company. The client brought counterclaims after learning that the plaintiff was intentionally spoliating evidence in an effort to cover up the scheme.
- Successfully drafted and argued a motion to dismiss claim for civil conspiracy and motion to strike pleadings in case against a residential treatment facility in Arkansas involving allegations of sexual abuse.
- Secured a favorable settlement in a case alleging improper administration of an antipsychotic medication against an addiction and trauma treatment center.
- Represented an Alabama hospital in a medical malpractice case involving wrongful death. The co-defendant, surgeon, was facing murder charges in an unrelated matter at the time.
- Successfully represented one of the nation's largest grocery and foodservice distributors as a direct action plaintiff in antitrust litigation concerning broiler chickens.
- Representing an Arkansas psychiatric facility in a high-exposure wrongful death case.
- Successfully represented a Florida hospital in a medical malpractice case involving injuries allegedly arising from sepsis.

BAR & COURT ADMISSIONS

- Colorado
U.S. District Court, N.D. Illinois

LEGAL MEMBERSHIPS, ACTIVITIES & HONORS

- Thompson G. Marsh American Inn of Court
Board Member, 2019–present
Program Committee Chair, 2020–present
Assistant Program Committee Chair, 2019–2020

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- University of Denver Sturm College of Law
Judicial Clerkship Alumni Committee Member, August 2020–present
- Colorado Women’s Bar Association
Editor in Chief, “Tales from the Trenches,” The 1891, October 2018–present
- Denver Bar Association
Co-Chair, Access to Justice Committee’s Pro Bono Week, 2019
- Colorado Bar Association
- Colorado Judicial Institute
- Colorado Defense Lawyers Association

COMMUNITY MEMBERSHIPS, ACTIVITIES & HONORS

- Denver Metro Chamber Leadership Foundation
Impact Denver Alumnus, Spring 2020

ARTICLES & PRESENTATIONS

Articles

- "A Catastrophic Collision: Due Process and Section 363 Free and Clear Asset Sales Meet Head-On in the GM Bankruptcy," 26 J. Bankr. L. & Prac. 183, (November 2017).
- "Citizens United Round II: Campaign Finance Disclosure, the First Amendment, and Expanding Exemptions and Loopholes for Corporate Influence on Elections," 93 Denv. L. Rev. 749, (November 2016).
- "Shareholder Proposals, Director Elections, and Proxy Access: The History of the SEC's Impediments to Shareholder Franchise," 93 Denv. L. Rev. Online 233, (October 2016).

PERSONAL INTERESTS

- Ballet, travel photography, scuba diving, and snowboarding