



CELYN D. WHITT

Associate

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Celyn Whitt helps defend companies against nationwide class actions. She has experience with FLSA collective actions, wage and hour cases, and misclassification and joint employment matters. Additionally, she helps guide clients through product and premises liability cases. Celyn has argued motions, taken and defended depositions, led presuit investigations, and drafted winning dispositive motions.

EDUCATION

University of Wyoming College of Law, J.D., 2021, with honors, *Wyoming Law Review*, Senior Editor

Metropolitan State University of Denver, B.A., 2019, *cum laude*, Psychology, NCAA Athletic Scholarship Recipient

GOVERNMENT SERVICE

Judicial Extern to the Honorable David Furman of the Colorado Court of Appeals

Intern to the Boulder County Deputy Probation Officer

OTHER EXPERIENCE

NCAA Compliance Director, Legal Extern

ADMISSIONS

Colorado

HIGHLIGHTS

- Won motion to exclude an expert's testimony two weeks before trial where the plaintiff unsuccessful sought to introduce new liability opinions on the eve of trial.
- Briefed and won motion to dismiss a consumer class action lawsuit alleging several refrigerator models were defective.
- Suing the Elizabeth School District over a book ban violating free speech protections. WTO is partnering with the ACLU of Colorado and representing students of the school district, the Rocky Mountain NAACP State Conference CO-MT-WY, and The Authors Guild.
- Obtained decertification of an FLSA conditional collective that had been certified before WTO took over the case. After the decertification decision was issued, lawyers for the plaintiffs conceded that another pending nationwide case—which WTO also was defending—should be decertified as well.
- Defeated Rule 23 class certification of state law overtime claims in New Mexico for an international shipping company.
- Defeated conditional certification of an FLSA and state law putative collective action in federal court in Ohio for an international shipping company.
- Won a motion dismissing an appeal in the Fourth Circuit of Appeals for a major shipping client denying the plaintiff's Rule 23(f) petition.

INDUSTRIES

- Consumer Products & Services
- Trucking

PRACTICE AREAS

- Class Actions
- Employment
- Product Liability

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BIOGRAPHY

Celyn Whitt helps defend companies against nationwide class actions. She has experience with FLSA collective actions, wage and hour cases, and misclassification and joint employment matters. Additionally, she helps guide clients through product and premises liability cases. Celyn has argued motions, taken and defended depositions, led presuit investigations, and drafted winning dispositive motions.

Celyn is involved in various WTO initiatives. She pioneered the creation of a firm community service initiative known as WTO Gives and is a member of the firm's recruiting and diversity, equity, and inclusion committees.

Celyn's background includes NCAA college athletics. She played NCAA softball. In law school, she worked as an NCAA legal compliance officer in the wake of college athletics transitioning into the Name, Image and Likeness (NIL) era.

Celyn graduated from law school with honors, where she served as an editor to the Wyoming law review. Celyn was the recipient of the Judge Clarence Brimmer "Commitment to Excellence" scholarship. The Judge Clarence A. Brimmer Scholars Program honors Judge Brimmer's long and distinguished service. Celyn also was a recipient of the Judge James Barret "Excellence in Trial Skills" scholarship. As student representative to the American Bar Association, she was named the national Representative of the Year in 2020.

CASES

Class Actions

- Briefed and won motion to dismiss a consumer class action lawsuit alleging several refrigerator models were defective.
- Obtained decertification of an FLSA conditional collective that had been certified before WTO took over the case. After the decertification decision was issued, lawyers for the plaintiffs conceded that another pending nationwide case—which WTO also was defending—should be decertified as well.
- Defeated Rule 23 class certification of state law overtime claims in New Mexico for an international shipping company.
- Defeated conditional certification of an FLSA and state law putative collective action in federal court in Ohio for an international shipping company.
- Won a motion dismissing an appeal in the Fourth Circuit of Appeals for a major shipping client denying the plaintiff's Rule 23(f) petition.
- Won a motion to impose sanctions on opposing counsel for a major transportation company after an opt-in plaintiff disobeyed court orders.

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- Serving as national coordinating counsel to a major transportation company in FLSA collective action and individual and class wage and hour claims.

Pro Bono

- Suing the Elizabeth School District over a book ban violating free speech protections. WTO is partnering with the ACLU of Colorado and representing students of the school district, the Rocky Mountain NAACP State Conference CO-MT-WY, and The Authors Guild.
- Assisted with winning a unanimous appellate decision for an online education provider against a school district, affirming WTO's prior victories for the client in district court and before the Colorado State Board of Education.

Other Relevant Experience

- Won motion to exclude an expert's testimony two weeks before trial where the plaintiff unsuccessful sought to introduce new liability opinions on the eve of trial.
- Representing a leading ski resort in premises liability cases.
- Drafted a writ of certiorari to Colorado Supreme Court that analyzed when a market-based interest rate applies when a judgment debtor appeals.

BAR & COURT ADMISSIONS

Colorado
U.S. District Court, D. Colorado

LEGAL MEMBERSHIPS, ACTIVITIES & HONORS

Colorado Defense Lawyers Association
Law School...Yes We Can!
Mentor
Sam Cary Bar Association
Sports Lawyers Association

COMMUNITY MEMBERSHIPS, ACTIVITIES & HONORS

Miracle League of Denver
Volunteer
A Precious Child
Volunteer
Denver Rescue Mission
Volunteer

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ARTICLES & PRESENTATIONS

Presentations

- Presenter, "Times Are Changing: Generative AI and the Law," Vail Summit Resorts (December 11, 2024).
- Presenter, "Directing Expert Witnesses," University of Wyoming Trial Institute (August 6, 2024).

PERSONAL INTERESTS

- Fly fishing, golfing, following NCAA athletics, and adventuring through the Rocky Mountains