



## DANIEL J. DELAY

### Associate

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**Daniel DeLay defends health care professionals and organizations in complex medical malpractice disputes in jurisdictions throughout the country. He is a valuable advocate for his clients and has experience handling a wide range of courtroom activities, including *voir dire*, direct examination of experts and fact witnesses, and cross-examinations. Daniel also has served as second chair in two trials and one arbitration.**

### EDUCATION

University of Denver Sturm College of Law, J.D., 2018

Ohio Wesleyan University, B.A., 2010, Economics

### GOVERNMENT SERVICE

Judicial Intern to The Honorable David Richman, Colorado Court of Appeals

Investigator, Office of the Colorado State Public Defender

### OTHER EXPERIENCE

Messner Reeves, LLP

### ADMISSIONS

Colorado

### HIGHLIGHTS

- Won a defense jury verdict in Hawaii for a hospital in a multi-million dollar wrongful death case.
- Won summary judgment in a medical malpractice case for a hospital and two physicians in New Mexico on plaintiffs' claims for "ordinary" negligence, negligence per se, breach of contract, and breach of express and implied warranty.
- Served as second chair in an arbitration defending a Fortune 500 client in a Fair Labor Standards Act claim in Kansas City, Kansas.
- Served as second chair in successfully defending an oral surgeon at a jury trial in El Paso County, Colorado, involving a third-molar extraction resulting in infection in which \$800,000 in damages were sought.
- Served as second chair in successfully defending a dentist at a jury trial in a \$1 million failure to diagnose cancer case in El Paso County, Colorado.

### INDUSTRIES

- Healthcare
- Professional Services

### PRACTICE AREAS

- Healthcare Professional Liability
- Catastrophic Injury Defense

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## BIOGRAPHY

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Daniel previously handled healthcare professional liability matters, along with employment and commercial litigation, as an associate in a national law firm's Denver office. He also brings to his client representation invaluable skills, experience, and perspectives gained from having been a founder and principal of a business providing legal-related and other consulting services, and an Investigator for the Office of the Colorado State Public Defender.

## CASES

- Won a defense jury verdict in Hawaii for a hospital in a multi-million dollar wrongful death case.
- Won summary judgment in a medical malpractice case for a hospital and two physicians in New Mexico on plaintiffs' claims for "ordinary" negligence, negligence per se, breach of contract, and breach of express and implied warranty.
- Served as second chair in successfully defending a dentist at a jury trial in a \$1 million failure to diagnose cancer case in El Paso County, Colorado.
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- Served as second chair in an arbitration defending a Fortune 500 client in a Fair Labor Standards Act claim in Kansas City, Kansas.

## BAR & COURT ADMISSIONS

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

## LEGAL MEMBERSHIPS, ACTIVITIES & HONORS

- Colorado Defense Lawyers Association  
Colorado Hispanic Bar Association  
Defense Research Institute  
The Best Lawyers in America  
Ones to Watch - Commercial Litigation, 2023-2026  
Ones to Watch - Medical Malpractice Law - Defendants, 2023-2026

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## PERSONAL INTERESTS

- Snowboarding, traveling, and rooting for the Denver Nuggets