



WEBSTER C. CASH III

Partner

cash@wtotrial.com | P 303.244.1924 | F 303.244.1879

Webster Cash represents sophisticated business clients in high-stakes commercial disputes across the nation. He has played active roles in multiple winning trials and appeals, regularly representing shareholders and other industry leaders in matters with bet-the-company stakes.

EDUCATION

University of Denver Sturm
College of Law, J.D., 2011
Order of St. Ives

Denver University Law Review,
Editor-in-Chief

The Hague Academy of
International Law, Full
scholarship awarded for study in
Private International Law, August
2011

The George Washington
University, B.A., 2007, Political
Science, *cum laude*

GOVERNMENT SERVICE

Law Clerk to The Honorable
Monica M. Márquez, Colorado
Supreme Court

Law Clerk to The Honorable
Arthur P. Roy, Colorado Court of
Appeals

Assistant Speechwriter and
Communications Aide, Office of
the Senate Democratic Leader,
Senator Harry Reid

OTHER EXPERIENCE

Governor Bill Ritter Jr., Office of
Legal Counsel
Senior Law Clerk

ADMISSIONS

Colorado

HIGHLIGHTS

- Won a defense verdict as co-counsel to defeat claims that WTO's oil and gas client owed \$400 million to a stakeholder.
- Won a defense verdict as co-counsel to defeat \$800 million claims in a bet-the-company shareholder dispute involving an oil and gas client.
- Won a rare, permanent injunction against a major distributor that infringed on WTO's client's exclusive distribution territory. The lawsuit involved bet-the-company stakes and may have far-reaching repercussions in the industry.
- Appeared before the Second Circuit Court of Appeals as *amicus curiae* for a professional association facing bet-the-company stakes.
- Obtained a rare reversal of certiorari from the Colorado Supreme Court in a high-stakes dealer relocation dispute for GM.
- Won a dealer dispute for GM in Colorado Court of Appeals.
- Obtained a preliminary injunction for a \$1 billion oil and gas client involved in bet-the-company litigation against an executive.

INDUSTRIES

- Oil & Gas
- Automotive
- Real Estate
- Insurance
- Energy
- Financial Services

PRACTICE AREAS

- Commercial Litigation
- Appellate
- Antitrust & Competition
- Franchise & Distribution

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BIOGRAPHY

Webster Cash represents sophisticated business clients in high-stakes commercial disputes across the nation. He has played active roles in multiple winning trials and appeals, regularly representing shareholders and other industry leaders in matters with bet-the-company stakes. In addition, Webster regularly handles significant appellate matters, winning seven appeals including before the Colorado Supreme Court.

Webster has taken active courtroom roles in multiple winning trials in Colorado, California, and Texas. His recent victories include representing shareholders and the board of directors in a bet-the-company jury trial with \$800 million at stake; securing two separate permanent injunctions against a major national distributor; and defeating a \$400 million claim by a former executive following a trial. During his career, Webster has developed significant experience successfully bringing and defending breach of contract, breach of fiduciary duty, fraud and other business torts, and antitrust claims.

Prior to joining Wheeler Trigg O'Donnell, Webster served as a law clerk to The Honorable Monica M. Márquez of the Colorado Supreme Court and to The Honorable Arthur P. Roy of the Colorado Court of Appeals. He has also served in the Office of Legal Counsel under former Colorado Governor Bill Ritter and as a communications aide to U.S. Senate Majority Leader Harry Reid.

CASES

- Won a defense verdict as co-counsel to defeat claims that WTO's oil and gas client owed \$400 million to a stakeholder.
- Won a defense verdict as co-counsel to defeat \$800 million claims in a bet-the-company shareholder dispute involving an oil and gas client.
- Won a rare, permanent injunction against a major distributor that infringed on WTO's client's exclusive distribution territory. The lawsuit involved bet-the-company stakes and may have far-reaching repercussions in the industry.
- Appeared before the Second Circuit Court of Appeals as *amicus curiae* for a professional association facing bet-the-company stakes.
- *West Colorado Motors (AutoNation) v. General Motors et al.*, 16SC650 (Colo. 2017) - Obtained a rare reversal of certiorari from the Colorado Supreme Court in a high-stakes dealer relocation dispute for GM.
- *West Colorado Motors v. General Motors* (Colo. Ct. App. 2016) - Successfully defended General Motors in the relocation of an automobile dealership in which the plaintiff alleged that GM unreasonably approved the dealership's move.
- Obtained a preliminary injunction for a \$1 billion oil and gas client involved in bet-the-company litigation against an executive.
- *Atkission v. FCA US LLC* (2016) - Successfully represented FCA in a one-week trial involving a dealer's wrongful termination claim under Texas statute, resulting in an 81-page favorable proposed decision at the trial level.

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- *Sundin v. United Airlines* (Colo. Ct. App. 2015) - Won complete affirmation from the Colorado Court of Appeals for United Airlines in a matter of first impression. The appellant claimed she was injured while boarding a flight when a fellow passenger dropped his carry-on bag on her head. The case involved multistate choice of law issues, and the Court of Appeals entirely adopted WTO's position in affirming the trial court's prior dismissal of the lawsuit.
- *Mathew Enterprise v. Chrysler Group* (Cal. Super. Ct. Santa Clara Cnty. 2015) - Won a complete defense decision following a month-long, California trial for Chrysler Group and Chrysler Realty in a five-year, \$50 million lawsuit including statutory, fraud, and contract claims.
- Obtained complete dismissal of a personal injury action brought against a major airline.
- Successfully defended the trial court's dismissal of a personal injury action brought against a Fortune 50 corporation.
- Obtained dismissal of a premises liability case brought against a real estate management company.
- Advised a Taiwan-based electronics manufacturer on expected issues in anticipation of follow-on litigation relating to a trade secrets dispute.
- Successfully defended a major insurance company against a variety of individual vehicle code claims.

REPRESENTATIVE CLIENTS

General Motors
United Airlines Inc.
USAA

BAR & COURT ADMISSIONS

Colorado

LEGAL MEMBERSHIPS, ACTIVITIES & HONORS

Denver Law Review Advisory Board, Member

COMMUNITY MEMBERSHIPS, ACTIVITIES & HONORS

Native Campervans, LLC
Board of Directors

ARTICLES & PRESENTATIONS

- "Sosa's Silence: Kiobel and the Fallacy of the Supreme Court's Limitation on Alien Tort Liability," 40 DENV. J. INT'L L. & POL'Y 101 (2012).
- "Our Federalism - Out West: The Tenth Circuit and Younger Abstention," 87 DENV. U. L. REV. 669 (2010) cited by American Law Reports, 57 A.L.R. FED. 2d 355 (2011); 12 Nev. L.J. 1 (2011).

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PERSONAL INTERESTS

Golf, history, skiing, tennis, Broncos football, and cinema