



ERIN FROHARDT TATMAN

Associate

tatman@wtotrial.com | P 303.244.1920 | F 303.244.1879

Erin F. Tatman defends clients against professional liability and product liability lawsuits. Her clients include individual healthcare providers, healthcare organizations, lawyers, and law firms. Erin also defends corporations against product liability claims, including class actions. Colorado Super Lawyers has named Erin a Rising Star for five straight years.

EDUCATION

Northwestern University School of Law, J.D., 2012, *cum laude*
Order of the Coif
Northwestern Law Review,
Articles Editor

Colgate University, B.A., 2007,
Chemistry

GOVERNMENT SERVICE

Law Clerk to The Honorable
Jerome A. Holmes, United States
Court of Appeals for the Tenth
Circuit

ADMISSIONS

Colorado
Illinois

HIGHLIGHTS

- Represented seven codefendants in a property insurance class action lawsuit in Colorado. WTO lawyers served as liaison counsel and argued the successful motion for fee award of more than \$1.5 million.
- Defended against claims in New Mexico that WTO's client failed to appropriately assess the risk represented by two siblings who killed their foster mother.
- Hired two weeks before trial to defend a client in Pennsylvania against medical malpractice and negligence claims. Settled favorably.
- Hired at the start of expert discovery in Washington to defend a healthcare provider against malpractice and negligence claims. Settled favorably.
- Won motion to compel plaintiffs' privilege documents in a legal malpractice dispute in Illinois and defended the motion to the Illinois Supreme Court.
- Successfully defended a physician in a birth trauma case in Illinois.
- Successfully settled claims against a motorized wheelchair manufacturer in Connecticut state court.

INDUSTRIES

- Consumer Products & Services
- Healthcare
- Professional Services

PRACTICE AREAS

- Professional Liability
- Healthcare Professional Liability
- Legal Professional Liability
- Product Liability
- Personal Injury Defense
- Appellate
- Class Actions
- Commercial Litigation

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BIOGRAPHY

Erin F. Tatman defends clients against professional liability and product liability lawsuits. Her clients include individual healthcare providers, healthcare organizations, lawyers, and law firms. Erin also defends corporations against product liability claims, class actions, and personal injury. Colorado Super Lawyers has named Erin a Rising Star for five straight years.

A chemist by training, Erin is at home debunking plaintiffs' bad science and developing scientifically sound defenses for her clients.

Prior to joining Wheeler Trigg O'Donnell in 2013, Erin served as a judicial law clerk to The Honorable Jerome A. Holmes of the United States Court of Appeals for the Tenth Circuit. Erin has also worked as a land assistant for a large oil and gas company in Colorado and as a research fellow at the National Institutes of Health Imaging Probe Development Center and Laboratory of Computational Biophysics.

CASES

Professional Liability

- Hired two weeks before trial to defend a client in Pennsylvania against medical malpractice and negligence claims. The case settled during voir dire for well under half the plaintiff's demand.
- Hired at the start of expert discovery in Washington to defend a healthcare provider against malpractice and negligence claims brought by a patient who suffered a stroke. The case settled extremely favorably just before trial.
- Won motion to compel plaintiffs' privilege documents in a legal malpractice dispute in Illinois and defended the motion to the Illinois Supreme Court.
- Successfully defended a physician and hospital in a birth trauma case in Illinois. Handled damages claims, prepared defense witnesses, and conducted a mock trial. The case settled a month before trial on terms that saved WTO's client eight figures. The client was extremely pleased.

Product Liability

- Successfully settled claims against a motorized wheelchair manufacturer in Connecticut state court.
- *Hadjih v. Evenflo* (D. Colo. 2015) - Won a complete defense jury verdict in federal court for Evenflo in a \$15 million failure-to-warn trial arising out of permanent injuries to a child involved in an accident while riding in an Evenflo infant seat.
- Defended a medical device maker against product liability and wrongful death claims involving a fire that allegedly broke out in the vicinity of a wheelchair manufactured by the company. The case settled favorably for WTO's client.

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Class Actions

- *Snyder v. ACORD*, 2019 WL 319407 & 2016 WL 192270 (D. Colo.) - Represented seven codefendants in a property insurance class action lawsuit in Colorado. Plaintiffs claimed they were systematically underinsured in a "monumental" conspiracy, in violation of federal RICO and antitrust laws, and involving virtually all property insurers in Colorado as well as industry trade groups. WTO served as liaison counsel and argued the successful motion for the fee award of more than \$1.5 million.
- Represented a major commercial insurer in nationwide concussion and traumatic brain injury class action litigation involving the National Collegiate Athletic Association, National Hockey League, and U.S. Soccer Federation.
- Represented Whirlpool Corp. in various consumer product class action matters nationwide.
- Represented Farmers Insurance in two Washington insurance class actions alleging unrepairable damage claims under UIM property-damage coverage.
- *Cortez v. USAA CIC* - Won summary judgment for USAA based on a plaintiff's lack of standing in a putative class action regarding the contractual time limitation for medical payments coverage.

Other Relevant Experience

- Defended against claims in New Mexico that WTO's client failed to appropriately assess the risk represented by two siblings who killed their foster mother.
- Successfully represented franchisor Comfort Dental Group in a dispute in which a subfranchisor challenged the legality of the underlying business model. WTO also squashed follow-on litigation involving a complex lease dispute.

BAR & COURT ADMISSIONS

Colorado

Illinois

U.S. Court of Appeals for the Tenth Circuit

U.S. District Court for the District of Colorado

U.S. District Court for the Eastern District of Texas

U.S. District Court for the Northern District of California

U.S. District Court for the Northern District of Illinois

LEGAL MEMBERSHIPS, ACTIVITIES & HONORS

Colorado Rising Stars

Professional Liability Defense, 2016-2020

Legal Aid Foundation

Associate Advisory Board, 2015-2019

Associates Campaign Representative, 2015-2018

Colorado Women's Bar Association

Colorado Defense Lawyers Association

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Colorado Bar Association
Health Law Section
Denver Bar Association

COMMUNITY MEMBERSHIPS, ACTIVITIES & HONORS

Denver Kids Inc., 2015-2019
Mentor, 2018-2019
Board of Directors Development Task Force
Young Professionals Council, Vice Chair, 2018-2019
YPC Networking & Professional Development Chair, 2017-2018

ARTICLES & PRESENTATIONS

Articles

- Hoping for the Best, While Preparing for the Worst: Addressing Resource Shortages During a Crisis
- Some (Minor) Relief In Sight: Secretary Issues 1135 Waiver of EMTALA's Medical Screening and Transfer Requirements
- PREP Act: Healthcare Providers, Labs, and Behavioral Facilities May Invoke Immunities Related to Testing and Treatment of Coronavirus Patients

Book Chapters

- "Medical Malpractice," *Colorado Civil Claims: Elements, Defenses, and Sample Pleadings* (1st ed. 2019)

PERSONAL INTERESTS

Climbing, crossword puzzles, and camping with her husband and dogs