



## ANDREW W. MYERS

### Of Counsel

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**Andrew Myers has built a nationwide practice representing sophisticated clients in complex commercial litigation and class action lawsuits. His clients have included manufacturers, railroads, and professional services firms, among others.**

### EDUCATION

University of Colorado Law School, J.D., 2002

*Colorado Journal of International Environmental Law & Policy*, Editor-in-Chief

James N. Corbridge Initiative Award for Outstanding Leadership Contribution to the *Colorado Journal of International Environmental Law & Policy*

University of Colorado, Bachelors of Environmental Design, 1998

### OTHER EXPERIENCE

Husch Blackwell LLP  
Jacobs Chase LLC

### ADMISSIONS

Colorado

### HIGHLIGHTS

- Successfully represented apartment owner Aimco in nationwide litigation alleging intentional torts against Airbnb, resulting in favorable settlement after jury selection. The result is changing how the short-term rental industry operates.
- Won Seventh Circuit victory in a fee dispute for Whirlpool and Sears relating to front-loading washing machine litigation.
- Won reversal and remand for a developer in an easement dispute.
- Won a defense jury verdict as co-trial counsel in a \$66 million federal certified class action in Ohio involving allegedly "moldy" washing machines.
- Successfully represented a client in confirmation/vacatur proceedings in the U.S. District Court for the District of Colorado and the U.S. Court of Appeals for the Tenth Circuit following entry of a \$53 million arbitration award in his favor and against a major bank.
- Represented a Denver family and their trusts in an unsuitable securities FINRA arbitration against a major bank.
- Obtained summary judgment for a client and certain trusts in a multimillion-dollar lawsuit brought by his sister as leverage to obtain a buyout of her interest in closely held family partnerships.

### INDUSTRIES

- Consumer Products & Services
- Financial Services
- Real Estate

### PRACTICE AREAS

- Appellate
- Class Actions
- Commercial Litigation

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## BIOGRAPHY

Andrew Myers has built a nationwide practice representing sophisticated clients in complex commercial litigation and class action lawsuits. His clients have included manufacturers, railroads, and professional services firms, among others.

Prior to joining WTO in 2014, Andrew served as a senior associate at the Denver offices of Husch Blackwell LLP where he focused his practice on civil litigation with major clients in the railroad and real estate industries. He also worked as an associate at two other Denver law firms, including the former Jacobs Chase, after graduating law school.

Andrew has extensive experience in all aspects of pretrial discovery and trial preparation including high level case strategy, drafting briefs, taking depositions, and writing and organizing discovery.

## CASES

- Successfully represented Aimco, one of the largest apartment owners in the U.S., in nationwide litigation alleging intentional torts against Airbnb. After jury selection in the first trial, Airbnb settled all litigation on terms allowing Aimco to control short-term rental activity consistent with its contract and property rights. The closely watched litigation is changing how the short-term rental industry operates.
- *In re Sears, Roebuck & Co. Front-Loading Washer Products Liability Litigation* (7th. Cir. 2017) - Won unanimous Seventh Circuit victory in a fee dispute for Whirlpool and Sears arising out of a certified federal class action lawsuit that WTO favorably settled after winning a defense verdict in the bellwether trial of related claims.
- *Horizon Park Partners v. Gator Horizon Partners* (Colo. Ct. App. 2016) - Won reversal of summary judgment against our client, a real estate developer, in a dispute over a reciprocal easement, the outcome of which had a multimillion-dollar effect on the value of the property. The case was remanded to district court with orders to hear evidence at trial.
- *Glazer v. Whirlpool* (N.D. Ohio 2014) - Won a complete defense jury verdict for Whirlpool as co-trial counsel in a \$66 million certified class action trial in Ohio involving allegedly "moldy" washing machines.
- Represented the plaintiffs and a certified class in a multimillion-dollar class action involving securities fraud, conspiracy, and breach of fiduciary duty claims against an investment advisor, broker dealer, and private placement annuity issuer.
- Represented claimants and a putative class in a AAA class arbitration involving forced cash-outs of employee stock options in connection with a major telecommunications company merger.
- Successfully defended a law firm and its attorneys in a breach of settlement agreement and tort action over alleged violations of a confidentiality provision.
- Obtained summary judgment for a client and certain trusts in a multimillion-dollar lawsuit brought by his sister as leverage to obtain a buyout of her interest in closely held family partnerships.

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- Represented a Denver family and their trusts in an unsuitable securities FINRA arbitration against a major bank.
- Successfully represented a client in confirmation/vacatur proceedings in the U.S. District Court for the District of Colorado and the U.S. Court of Appeals for the Tenth Circuit following entry of a \$53 million arbitration award in his favor and against a major bank.

## BAR & COURT ADMISSIONS

Colorado

U.S. District Court, D. Colorado

U.S. Court of Appeals, 10th Circuit

## LEGAL MEMBERSHIPS, ACTIVITIES & HONORS

*Colorado Rising Stars* Business Litigation, 2009-2014

Colorado Bar Association

## ARTICLES & PRESENTATIONS

- "Evaluating Section 230 Liability in the Sharing Economy," Co-author, Law360, September 3, 2019.

## PERSONAL INTERESTS

Golf, photography, and watching movies