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TOP

LITIGATORS



LaMar Jost

*Photo provided by Wheeler
Trigg O'Donnell.*

2024 Top Litigators: LaMar Jost

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Wheeler Trigg O'Donnell partner [LaMar Jost](#) “combines his deep understanding of his clients’ work with his respect and admiration for their careers to successfully fight for them in court,” [Joe Farchione](#), partner and management committee member at WTO, wrote in his nomination of Jost for Law Week Colorado’s 2024 Top Litigators.

While in undergrad at the University of Wyoming, Jost started in criminal justice and thought he would go into law enforcement. But as he delved into political history and history of the Constitution, he became more interested in law and political science.

“Our Constitution, with its 27 amendments, contains 7,591 words,” wrote Jost to Law Week via email. “Those words have given structure to one of the most successful and free governments in the world—and we are still trying to figure out what some of those words mean 237 years after the Constitution was ratified in 1787.”

After graduating from the University of Wyoming College of Law, Jost spent three years working for judges in federal trial and appellate courts as a law clerk. But he knew he wanted to be a lawyer who went to court in civil cases, both as a litigator and a trial lawyer.

“I enjoyed legal writing and legal research and I learned a lot of different areas of the law,” said Jost. “But being in appellate practice, which is mostly writing ... made me decide I wanted to be in trial.”

“I wanted to litigate because I love civil jury trials, as the 7th Amendment to the Constitution secures in for any controversy over \$20.00 (that value has increased in the last 200 years),” wrote Jost. “The United States is the only country in the world that uses jury trials to resolve civil disputes.”

With experience clerking for the 10th Circuit Court of Appeals and federal district court, Jost found his way to the Department

high-stakes environment are as follows: that future members of my team and firm say that they were heard, treated fairly, contributed, and had fun in their job; and my clients know that I worked as hard as I could to help them solve their legal problem.”

Jost’s favorite cases are the two that he lost.

“Why? Because we are defined more in life by our response to failure than by success. I learned more losing than I ever have winning,” wrote Jost. “Anecdotally, I believe this is true with my ultrarunning hobby as well.”

“Like law and life, we must get up and keep moving—one foot in front of the other—even when life, circumstance, or a plaintiff lawyer takes us down,” wrote Jost.

Jost says his greatest attribute as a lawyer is his work ethic.

According to Farchione, Jost’s clients emphasize that his preparation sets him apart. “No one prepares for trial or understands the medicine like LaMar,” wrote Nicholas Ghiselli, general counsel at Curi Insurance, in Jost’s nomination. “LaMar is your attorney when you have a tough case with an aggressive plaintiff.”

“I defend healthcare providers in litigation across the country, providing me an opportunity learn both new law and medicine in every case,” wrote Jost. “I have a duty to know that medicine and law to defend my clients. Learning new areas of medicine and law in every case takes a lot of work.”

Jost tells every client they can stop worrying. For Jost, the only job for the client is to tell the truth. It’s his job to win the case. He always assures his clients that he’s available 24 hours a day, seven days a week.

“I am completely focused and dedicated to my clients—and will do anything for them within the bounds of ethics, professionalism, and the procedural rules,” wrote Jost.

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- LaMar Jost

of Justice in Washington, D.C. Wanting a change, he eventually landed in Colorado where the 10th Circuit sits in Denver. This led him to WTO.

“In 2005, when I started at Wheeler Trigg O'Donnell LLP, it was one of the premier trial boutique law firms in the country,” wrote Jost. “Now, nearly 20 years later, it is the only private law firm that I have ever worked at in my career because it is still, in my opinion, one of the premier civil trial law firms in [the] country.”

A focus area that Jost gravitated toward was medical malpractice, so he combined his affinity for law and medicine.

“I didn’t even really know that medical malpractice existed,” said Jost. “I got into that because 99% of all cases civil cases settle and medical malpractice has more civil trials than probably in the area of civil law.”

“I love learning new areas of medicine,” continued Jost.

“LaMar Jost has made a tremendous impact for medical malpractice defense clients in the past 12 months, saving hospitals, providers, and insurers over \$122 million in damages in 2023 alone,” wrote Farchione. “In a single year, LaMar won two jury defense verdicts in high-risk cases, a precedent-setting appeal, two summary judgments, plus a motion to dismiss.”

Jost’s top case outcomes for 2023, explained Farchione, included a complete defense jury verdict for a family medicine clinic and nurse practitioner in a \$40 million medical malpractice trial in Des Moines, Iowa. The jury returned the unanimous verdict after deliberating for only an hour, noted Farchione, in a case where the plaintiff alleged the defendants failed to appropriately treat and refer him for a diabetic foot infection. The other case outcome included a complete defense jury verdict for a neurosurgeon client and his employer following a two-week, \$27 million medical malpractice trial in Iowa.

“As I reflect on his accomplishments, I can confidently say you’d be hard-pressed to find a Colorado medical malpractice defense lawyer who had a more successful 2023 than LaMar Jost,” wrote Farchione. “It is a privilege to call LaMar my colleague.”

“Our trial work is high stakes for the healthcare professionals and institutions we represent,” wrote Jost. “My hopes in this

When asked who he works with closely at his firm, Jost thought of his core trial team. “I am so lucky and blessed to work every day with Dr. Holly Morgan, Lindsey Sanders, Bob Mason, and Kim Creasey,” wrote Jost.

“Every success we have had in the courtroom, or a favorable pretrial settlement is from the dedication and hard work of this core team,” wrote Jost. “The ‘lawyer’ gets the accolade, but a good lawyer is always supported by a team of individuals.”

According to Farchione, Jost is passionate about righting wrongs for citizens in Colorado.

“My duty, as a lawyer and human, is to give back to the community and those in need,” wrote Jost. “I have tried different things throughout the years.”

He’s raised money for nonprofits, like [Project Worthmore](#), by collecting donations and promising to repay the donation if he doesn’t finish his ultrarun.

He’s spent time changing out mattresses in hotels where homeless people live, as well as making and delivering food through the Denver Rescue Mission and religious organizations. Jost has also served on a suicide hotline.

With the financial backing of WTO, he keeps one or two pro bono legal cases going at any given time.

As one example, Farchione explained Jost won a settlement for a Black teenager assaulted by police at a Colorado county courthouse in 2018.

“We obtained a significant settlement that changed our client’s life for the better,” wrote Jost. Through Jost’s negotiations, the defendants ultimately agreed to pay \$495,000.

“The victory represents one of the highest excessive force settlements in Colorado not involving significant physical injury,” wrote Farchione. “The consistency and unanimity of his clients’ assessments paint a clear picture: LaMar is their top litigator when they can’t afford to lose.”

“I have no legacy,” wrote Jost. “My goal is to be creative, open-minded, and respectful while providing a high-quality defense.”