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**FN-5531476 MN-5531476 LN-5531476,
Esq.**

Denver, Colorado

Current Employer-Title Gateway Counsel LLC

Profession Attorney

Work History Owner, Gateway Counsel LLC, Partner, Snell & Wilmer LLP, 2019-2022; Partner, Messner Reeves LLP, 2016-2019; Attorney, Hamil Law Group LLC, 2015-2016; Attorney, Wheeler Trigg O'Donnell LLP, 2012-2015; Attorney, Hamil/Hecht LLC, 2003-2008; Attorney, The Legal Center for People with Disabilities, 2001-2003; Litigation Associate, Sherman and Howard LLC, 1996-1998, Litigation Associate, Baker Botts LLP, 1994-1996; Judicial Clerk, US District Court for the Northern District of Texas, 1993-1994.

Experience Practice is focused on employment law/litigation and commercial litigation. This representation includes advice and counsel on employment law compliance and pre-litigation matters involving commercial and employment disputes, as well as representation in all phases of litigation, arbitration, and mediation. Representation includes various companies and individuals in a broad range of industries. Particular expertise in food service, real estate brokerage and development, cannabis, manufacturing, health care and hospitality industries.

Employment:

Performed workplace investigations and represented parties in litigation and arbitration relating to ADA, FMLA, ADEA, FLSA, and Title VII claims and analogous state statutes, including claims of discrimination, reverse discrimination, harassment and retaliation based on race/ethnicity, gender/sex, pregnancy, religion, national origin, disability, age and sexual orientation; violations of wage and hour law, including claims of misclassification, violation of meal period and rest break laws, and "off the clock" work; breach of company policy or applicable law or regulation; tortious interference with contract and prospective business advantage; violation of leave law; civil theft; misappropriation of trade secrets; breach of contract (including independent contractor and commission agreements); and breach of duty including fiduciary duty, duty of good faith and fair dealing, and duty of loyalty. Represented executives and companies with respect to negotiation and enforcement of executive employment contracts and severance agreements. Extensive experience with enforcement and defense of restrictive covenants, including confidentiality, non-competition, non-solicitation, no poaching and non-disclosure agreements.

Commercial Litigation:

Substantial experience litigating in state and federal courts, including jury trials, bench trials, arbitrations and administrative hearings, representing both plaintiffs and defendants. Clients have included individuals, start-ups, publicly-traded companies, private companies, and non-profits. Handled a wide variety of commercial disputes across various industries, including cases involving breach of contract and the duty of good faith and fair dealing, disputes arising out of vendor service agreements, business divorce, partnership/JV disputes, business torts (including tortious interference with contract and prospective business advantage, business disparagement, breach of fiduciary duty, and civil theft), real estate disputes including common law easements and leases, non-competition/non-solicitation covenants, confidentiality and non-disclosure agreements,

misappropriation of trade secrets, fraud, Telephone Consumer Privacy Act, and Title III of the ADA.

Cannabis:

Representation of holding and technology companies as well as manufacturers, growers and dispensaries in relation to employment and contract disputes; provided employment law advice in relation to mergers and acquisitions. Examples include defense of complaints of wrongful termination, sexual harassment, and prosecution and defense of complaints of fraud, breach of the duty of good faith and fair dealing, breach of fiduciary duty, and breach of contract. I have also counseled cannabis companies on compliance with state and municipal employment and health and safety laws and development of employment policies and conducted internal investigations relating to complaints of fraud and usurpation of corporate opportunity.

Available for in-person, remote and hybrid proceedings.

Mediator Experience

Served as mediator in disputes involving breach of contract, including breach of lease agreement, breach of services agreement, and breach of warranty, and wrongful termination and discrimination (race, sex, disability). Served as advocate in dozens of mediations involving claims of discrimination and reverse discrimination (age, race, religion, nationality, sex, pregnancy), harassment, retaliation, wrongful termination, misappropriation of trade secrets, disclosure of confidential information, FMLA, ADA and wage and hour violations. Completed 40-hour mediator training conducted by Phoenix Strategies.

Mediator Style & Process Preferences

Blending facilitative, evaluative and transactional mediation styles to achieve resolution. Mediation sessions go beyond “shuttle diplomacy” and utilize private caucuses (joint caucus used when appropriate and constructive), independent analysis of strengths and weaknesses of arguments and evidence based on decades of litigation experience, and frank conversations with participants used to leverage opportunities for compromise. Pre-mediation briefs are encouraged.

Education

University of Texas Law School (JD-1993); Dartmouth College (BA-1989).

Professional Licenses

Admitted to the Bar: Colorado (1996), Texas (1993).

Professional Associations

Colorado Bar Association; Mile High Society for Human Resource Managers

Recent Publications & Speaking Engagements

Recent examples of publications and speaking engagements include:

"Managing Pay Transparency in the Workplace," Co-Presenter, Mile High SHRM Webinar (December 7, 2021)
"Colorado Round Up," Presenter, 2021 Employment Law Tool Kit Two-Part Webinar Series: Session 2: More Issues for All Employers and State-Specific Updates (November 18, 2021)
"CMS Announces Vaccine Mandate for Healthcare Facilities," Co-Author, Snell & Wilmer Legal Alert (November 9, 2021)
"Employers Urged to Prepare for Shot Mandate," Quoted, Business Insurance (October 5, 2021)
"Full FDA Approval Provides Employers a Stronger Shield for Vaccine Mandates," Quoted, Denver Post (August 24, 2021)
"Biden's Attack on Non-competes Raises Concerns for Brokerages," Quoted, Business Insurance (July 27, 2021)
"States May Offer Clues on Future of Non-Competes as Employers Await FTC Action," Quoted, Law Week Colorado (July 23, 2021)
"President Biden Issues Executive Order Encouraging Federal Rule Makers to Limit or Ban Non-Competes," Co-Author, Snell & Wilmer Legal Alert (July 19, 2021)
"Tracking the Trends in Employment Law," Presenter, YPO Retail and Franchise Networks (June 22, 2021)
"The American Rescue Plan Act: How the New Legislation Affects Employers," Co-Author, Snell & Wilmer Legal Alert (March 16, 2021)
"How to Ensure Pay Equity for People of Color," Quoted, HR Magazine (March 11, 2021)
"Working from Home, for Good," Quoted, Law Week Colorado (February 26, 2021)
"Employment Law Update," Presenter, Denver Emerging Business Seminar Series (February 17, 2021)
"Colorado Employers Struggle With Require vs. Encourage When It Comes to COVID-19 Vaccinations," Quoted, Denver Post (December 25, 2020)

"Show Them the Money: Colorado's New Equal Pay Law," Co-Author, Snell & Wilmer Legal Alert (December 7, 2020)

"Rulemaking for Colorado Equal-Pay Causing Heartburn for Multistate Employers," Quoted, Denver Business Journal (October 29, 2020)

"Regional Roundup: A State-Focused Look at Covered Topics," Panelist, 2020 Employment Law Tool Kit Three-Part Webinar Series: Session 1: Issues for All Employers (October 20, 2020)

"Pandemic and Social Justice Issues Prompt Pay-Equity Audits," Quoted, HR Magazine (October 5, 2020)

"Trending Claims and Litigation Strategies: Current Tactics for Keeping Would-Be Adversaries at Bay," Panelist, CBA-CLE Colorado Litigators' Summit (September 25, 2020)

"'Not Too Late' to Prepare for Colorado's Equal Pay Law," Quoted, Law Week Colorado (August 6, 2020)

"Colorado Enacts the Healthy Families and Workplace Act," Co-Author, Snell & Wilmer Legal Alert (July 23, 2020)

"Will COVID-19 Put the Brakes on Cannabis Businesses...or Pump the Gas?" Co-Author, Snell & Wilmer Legal Alert (March 31, 2020)

"Families First Coronavirus Response Act: Summary of the Employment Provisions of the New Law," Co-Author, Snell & Wilmer Legal Alert (March 19, 2020)

"Coronavirus Outbreak Raises Tricky Workplace Legal Questions," Quoted, Denver Post (March 17, 2020)

"Making Bank: The People's Guide to Salary Negotiations," Co-Presenter, Colorado Women's Chamber of Commerce (March 11, 2020)

"COVID-19 Presents Legal Issues for Employers," Quoted, BizWest (March 9, 2020)

"Is Your Website Accessible? Number of ADA Title III Lawsuits on the Rise," Author, Snell & Wilmer Legal Alert (February 18, 2020)

"Jumping Ship: Employee Mobility and Restrictive Covenants in Colorado," Co-Presenter, Employment Law Conference (October 3, 2019)

"Use of Demonstrative Evidence at Trial: Means and Methods," Co-Presenter, Colorado Litigators' Summit (September 27, 2019)

"Many Stories, One Vision," Moderator, Women's Foundation of Colorado PEP Committee Breakfast (September 17, 2019).

Locations Where Parties Will Not be Charged for Travel Expenses	No travel charge for in-person and hybrid proceedings in Denver and Boulder Metropolitan Areas.
Mediation Rate	\$350 Per Hour
Languages	English
Citizenship	United States of America
Locale	Denver, CO

The AAA's Rules provide the AAA with the authority to administer a mediation including, mediator appointment, general oversight and billing. Accordingly, mediations that proceed without AAA administration are not considered AAA mediations, even when the parties select an mediator who is on the AAA's Roster.

The information contained in this resume has been supplied solely by the individual mediator and may, or may not, be a complete recitation of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in a mediator's resume. If you have any questions about a mediator's experience or background, you are encouraged to contact your case manager.

Mediators on the AAA Roster are not employees or agents of the AAA.