



MICHAEL T. WILLIAMS

Managing Partner

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*"A leading class action defense lawyer."
—Chambers USA*

EDUCATION

Yale Law School, J.D., 2000
The Yale Law Journal, Senior Editor

University of Notre Dame, B.A., Government and Economics, *summa cum laude*, 1997
Phi Beta Kappa
Pi Sigma Alpha
Omicron Delta Epsilon

GOVERNMENT SERVICE

Law Clerk to The Honorable Nancy Gertner, United States District Court for the District of Massachusetts, 2000-2001

ADMISSIONS

Colorado

Mike Williams specializes in complex commercial disputes that often involve novel legal issues. Mike has won national recognition for his defense of companies in high-stakes class actions while also helping clients recover large damages awards and injunctive relief in some of their most important matters. Chambers USA ranks Mike nationwide for his class action defense attorneys for major clients. BTI Consulting has named Mike a Client Service All-Star three times, based exclusively on input from in-house counsel. He serves as WTO's management representative to the Leadership Council on Legal Diversity.

HIGHLIGHTS

- Won a jury verdict for a family-owned investment company following a cyberattack.
- Represented a privately-held software company in employee arbitrations.
- Represented a telecommunications client against mass consumer arbitrations.
- Successfully represented an oil and gas exploration company in a suit to compel specific performance of a lease purchase agreement that a counter-party breached during the pandemic.
- Successfully represented an oil and gas exploration company to recover damages from a non-operating working interest owner for failure to pay its share of well drilling and completion costs during the pandemic.
- Won plaintiff's summary judgment in a cross-border contract dispute for a Canadian client to recognize a \$9 million judgment entered in Alberta.
- Recovered breach-of-contract damages for a healthcare business services provider in arbitration against its former client that is one of the nation's preeminent hospital systems.

INDUSTRIES

- Consumer Products & Services
- Oil & Gas
- Financial Services
- Real Estate
- Healthcare

PRACTICE AREAS

- Class Actions
- Commercial Litigation
- Product Liability
- Mass Torts
- Catastrophic Injury Defense
- Appellate

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BIOGRAPHY

Mike Williams specializes in complex commercial disputes that often involve novel legal issues. Mike has won national recognition for his defense of companies in high-stakes class actions while also helping clients recover large damages awards and injunctive relief in some of their most important matters. Chambers USA ranks Mike nationwide for his class action defense attorneys for major clients. BTI Consulting has named Mike a Client Service All-Star three times, based exclusively on input from in-house counsel. He serves as WTO's management representative to the Leadership Council on Legal Diversity.

Mike is known for delivering compelling trial arguments that clear a path to exceptional courtroom results. At the same time, he identifies meaningful common interests to help bring parties together amid stark differences. Clients call Mike "a great strategic thinker in litigation" who "understands the business impact and will outwork the other side" (Chambers USA). He possesses "the rare ability to communicate with business leaders in a meaningful way" (The Legal 500).

Mike has represented a diverse array of international companies, national retailers, publicly-traded investment companies, small businesses, and individuals in the courts of 35 states and four Canadian provinces, as well as international arbitrations.

CASES

Commercial Litigation

- Won a \$3.4 million jury verdict for a family-owned investment company following a cyberattack.
- Won affirmative summary judgment for a Canadian company in a dispute to recognize a \$9 million breach-of-contract judgment entered in Alberta, Canada. WTO lawyers persuaded a Colorado federal court to recognize the judgment without an evidentiary hearing under the Uniform Foreign Country Money Judgments Recognition Act.
- Recovered breach-of-contract damages for a healthcare business services provider in arbitration against its former client that is one of the nation's preeminent hospital systems.
- Won a \$14.3 million arbitration award, plus attorneys' fees and costs, for a multistate cannabis operator in a Florida franchise dispute involving lost royalties and right-of-first-refusal issues.

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- Successfully represented a Fortune 100 chemical company in a post-divestiture transaction dispute against a foreign government-owned investment company. WTO recovered tens of millions of dollars in cash plus non-cash value and helped secure closure of an antitrust inquiry.
- Representing a leading billing services provider in a suit claiming tens of millions of dollars in damages for alleged business torts and breach of a client referral agreement.
- Representing general partners in a dispute with a minority partner involving alleged breach of partnership agreement and rights to control the management of valuable commercial real estate.
- 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.
- Represented a Fortune 20 company in an international arbitration hearing that resulted in a settlement, after the hearing concluded, for more than 90% of our client's claim.

Class Actions

- Defeated certification of a putative class of 20,000 California claimants alleging that WTO's client was a "joint employer" and was liable for unpaid overtime and other wage-and-hour violations.
- Won final approval of class settlement and *vacatur* of a \$15 million attorneys' fee award from the Ninth Circuit in a consumer class action for Whirlpool.
- Successfully represented a major telecommunications company in an MDL involving 18 underlying consumer, securities, and derivative class actions that challenged the company's marketing and sales practices.
- Defeated class certification for Electrolux in a consolidated putative class action in Illinois involving millions of the company's dishwashers.
- Defeated class certification in a bellwether case alleging false advertising of innovative self-cleaning ovens. The plaintiffs sought certification of a six-state class in the lead case and filed related actions for consumers in many other states. The court's certification ruling paved the way for a non-class settlement and dismissal of all actions less than a month before the first trial.

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- 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.
- Won a motion to dismiss with prejudice a putative class action in federal court in California. The plaintiff alleged violations of the Federal Fair Debt Collection Practices Act (FDCPA) and California's Rosenthal Fair Debt Collections Practices Act.
- Successfully represented a Fortune 20 company in class action and insurance litigation arising from a six-alarm warehouse fire. WTO's client paid just 1% of claims—which it then recovered through affirmative claims against other parties and their insurers.
- 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.
- Obtained dismissal of class action allegations and 15 of 17 claims against Whirlpool in an environmental toxic tort case. Plaintiffs voluntarily dismissed their remaining claims after the court's ruling.
- Successfully negotiated a class settlement for Pilot Flying J as national resolution counsel in diesel rebate litigation.
- Defeated a motion to certify a nationwide breach of warranty class in a case alleging that certain Kenmore washing machines contained defective electronic control boards that caused the machines to malfunction.
- Defeated certification of a multistate class action in Arkansas federal court involving claims that certain Whirlpool-made refrigerators were defective.
- Successfully defended a large Colorado automobile dealer in a consumer class action in which the plaintiffs alleged violations of the federal Telephone Consumer Protection Act and sought hundreds of millions of dollars in damages. The trial court denied class certification, and the Colorado Court of Appeals affirmed that order on appeal, and the Colorado and U.S. Supreme Courts denied certiorari.
- Successfully defended a Colorado software company in a securities class action in which the client asked WTO to replace an international law firm as lead trial counsel 90 days before trial.

Energy

- Successfully represented an oil and gas exploration company in a suit to compel specific performance of a lease purchase agreement that a counter-party breached during the pandemic.

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- Successfully represented an oil and gas exploration company to recover damages from a non-operating working interest owner for failure to pay its share of well drilling and completion costs during the pandemic.
- Recovered more than \$10 million for a privately-held oil and gas exploration company in a series of suits and arbitrations against non-operating working interest owners for failure to pay drilling promotes.
- Won a multimillion-dollar arbitration award for an energy company, recovering more than 15 times the last settlement offer made before trial.
- Successfully represented an oilfield services company in a series of noncompete and trade secret matters against its large, multinational competitors.
- Successfully represented a Fortune 100 energy company in a contract and professional negligence dispute involving another energy company relating to a series of power outages in Billings, Montana.
- Successfully represented a privately-held oil company in mass torts litigation arising from a deadly 2013 train derailment in Lac-Mégantic, Quebec. Following resolution, represented the client as a policyholder to recover insurance proceeds covering most of the client's contributions to the global settlement fund.

Other Relevant Experience

- Represented a privately-held software company in employee arbitrations.
- Represented a telecommunications client against mass consumer arbitrations.
- Won a reversal and a new trial on the punitive damages phase of a product liability case originally tried by another firm in 1998. Persuaded the second jury to award only one-third of the amount awarded in the initial trial.
- Successfully tried to verdict a pro bono case in which our clients proved that Colorado's electronic voting systems had not been tested and certified in accordance with the law. The case led to major changes in Colorado election law.
- Successfully defended the Vancouver Canucks NHL organization in a lawsuit brought by Colorado Avalanche player Steven Moore as a result of severe injuries he sustained during a hockey game. WTO obtained dismissal of the lawsuit on the grounds of lack of personal jurisdiction and *forum non conveniens*, and also obtained a six-figure award of attorney's fees and costs in favor of the Canucks organization and against Mr. Moore.

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REPRESENTATIVE CLIENTS

AIR Communities
Electrolux
Slawson Companies
Whirlpool - National Trial Counsel

BAR & COURT ADMISSIONS

Colorado
U.S. Supreme Court
U.S. Court of Appeals, 11th Circuit
U.S. Court of Appeals, 3rd Circuit
U.S. Court of Appeals, 5th Circuit
U.S. Court of Appeals, 6th Circuit
U.S. Court of Appeals, 7th Circuit
U.S. Court of Appeals, 8th Circuit
U.S. Court of Appeals, 9th Circuit
U.S. District Court, D. Colorado
U.S. District Court, D. New Mexico
U.S. District Court, E.D. Arkansas
U.S. District Court, E.D. Michigan
U.S. District Court, E.D. Wisconsin
U.S. District Court, M.D. Tennessee
U.S. District Court, N.D. Illinois
U.S. District Court, N.D. Ohio
U.S. District Court, S.D. Indiana
U.S. District Court, W.D. Arkansas
U.S. District Court, W.D. Michigan

LEGAL MEMBERSHIPS, ACTIVITIES & HONORS

Chambers USA

Product Liability & Mass Torts, National, 2023
Consumer Class Action Defense, National, 2020-2022
General Commercial Litigation, Colorado, 2016-2023

BTI Consulting

Client Service Super All-Star, 2022
Client Service All-Star MVP, 2022
Client Service All-Star - 2015, 2020

The Best Lawyers in America

Denver Personal Injury Litigation - Defendants Lawyer of the Year, 2021
Denver Mass Tort Litigation/Class Actions Lawyer of the Year, 2016
Commercial Litigation, 2013-2024
Mass Tort Litigation / Class Actions - Defendants, 2011-2024

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Product Liability Litigation, 2014-2024
Personal Injury Litigation, 2019-2024
The Legal 500 US
Litigation: Product Liability and Mass Tort Defense, 2007-2013, 2015
Benchmark Litigation
National Practice Area Star, 2020-2022, 2024
Local Litigation Star, 2020, 2022
Commercial Litigation - Colorado, 2014-2016, 2018
Future Star - Colorado, 2013
Colorado Super Lawyers
Class Actions/Mass Torts, 2014-2024
Top 100, 2016-2017, 2020, 2022-2024
Law Week Colorado
"People's Choice" Class Action/Mass Tort Defense Lawyer, 2016-2018
Fellow, American Bar Foundation
Member, Product Liability Advisory Council
Member, International Association of Defense Counsel
Member, Next Gen Advisory Board, Institute for Complex Litigation &
Mass Claims, Emory Law School, 2016-2017
The Trial Network
American Bar Association
Colorado Bar Association
Denver Bar Association

COMMUNITY MEMBERSHIPS, ACTIVITIES & HONORS

Member, Board of Trustees of St. Mary's Academy

ARTICLES & PRESENTATIONS

- Co-Author, "Evaluating Section 230 Liability in the Sharing Economy," Law360, (September 3, 2019).
- Presenter, "Moderator and Panelist, "Class Actions – Case Filing and Structure," Emory Law School Institute for Complex Litigation and Mass Claims, (September 13, 2017).
- Presenter, "Crisis Response - Deftly Handling Your Company's Emergency," The Network of Trial Lawyers Litigation Management: New Trends and Techniques, (April 28, 2017).
- "Fairness Determinations: Pitfalls and Challenges in Class Settlements," FJC / JPML Conference, Emory Law School Institute for Complex Litigation and Mass Claims, (December 15, 2016).

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- "Getting Selected for Leadership – What Decisionmakers Look For and How to Overcome Common Barriers," Next Generation Conference, Emory Law School Institute for Complex Litigation and Mass Claims, (December 14, 2016).
- Presenter, "E-Discovery Lessons from the Battlefield," The Network of Trial Law Firms' Litigation Management SuperCourse: Tribulations and Trials conference, Scottsdale, Arizona, (April 25, 2014).
- Presenter, "Why We Won the ACC Value Challenge, and What You Can Learn from It," The Network of Trial Law Firms' Litigation Management SuperCourse: "From Trouble to Trial to Triumph," San Diego, California, (November 10, 2012).
- Presenter, "Emerging Issues in Consumer Products Class Actions," CLE International's Class Actions: Plaintiff & Defense Perspectives Conference, Los Angeles, California, (May 17, 2012).
- Presenter, "A Focus on Class Actions and MDL: Coordination and Other Winning Strategies for Resolution in Multiple Jurisdictions," American Conference Institute's Mass Tort Products Liability Claims Conference, New York, New York, (January 2010).
- "Early Case Evaluation in Managing Litigation," *PLI Current Law: Strategies and Best Practices*, at Chapter 16-1, (November 2009).
- Co-Authored with Philip L. Harris and Linda L. Listrom, "Early Case Evaluation in Managing Litigation," *Product Liability Litigation: Current Law, Strategies, and Best Practices*, , Chapter 16, Practising Law Institute, (2009).

PERSONAL INTERESTS

- Family (three young daughters), fly fishing, skiing