



ANTHONY C. BARBE

Partner & Recruiting Chair

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Anthony Barbe defends lawyers and law firms in high-stakes professional liability matters nationwide. He represents clients across a range of practice areas, bringing a deep understanding of diverse law practices that inform the underlying malpractice claims. Recently, Anthony has achieved favorable results for clients in Colorado, California, Missouri, and Utah.

EDUCATION

University of Denver Sturm College of Law, J.D., 2010

Order of St. Ives

Denver University Law Review,
Managing Editor

University of Colorado, B.A., 2004

GOVERNMENT SERVICE

Law Clerk to The Honorable Ann B. Frick, Denver District Court

ADMISSIONS

Colorado

Montana

HIGHLIGHTS

- Won a hearing for the majority owners of an ethanol production company to defeat a preliminary injunction attempt and completely unwind an *ex parte* ruling that the company's minority owners obtained to install a receiver to displace WTO's clients from running the company.
- Defended lawyers in dozens of cases involving a wide variety of legal issues including franchise law, mergers and acquisitions, and IP litigation.
- Won a defense verdict for a national carrier in a bad faith jury trial in which the plaintiff claimed the insurer must pay for a special run of bricks in order to fully repair the plaintiff's home. WTO also won the Tenth Circuit appeal.
- Won a defense verdict for a lawyer and law firm against malpractice claims arising out of a business transaction.
- Won a defense verdict for a national carrier in a negligent misrepresentation trial.
- Won summary judgment for a large regional law firm in a legal malpractice lawsuit.
- Won dismissal of claims and won attorney's fees and costs for a major national insurer in litigation following the 2012 Waldo Canyon wildfire.

INDUSTRIES

- Consumer Products & Services
- Legal Services
- Professional Services
- Insurance

PRACTICE AREAS

- Legal Professional Liability
- Commercial Litigation
- Professional Liability
- Product Liability
- Franchise & Distribution

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BIOGRAPHY

Anthony Barbe defends lawyers and law firms in high-stakes professional liability matters nationwide. He represents clients across a range of practice areas, bringing a deep understanding of diverse law practices that inform the underlying malpractice claims. Recently, Anthony has achieved favorable results for clients in Colorado, California, Massachusetts, Missouri, Utah, and Wyoming. Anthony also regularly represents lawyers in connection with disciplinary matters.

In addition, Anthony has significant trial experience defending insurance companies against claims for bad faith and statutory damages, with multiple cases going to verdict for a national carrier in both state and federal court.

Since 2022, Anthony has been listed in *The Best Lawyers in America* for Commercial Litigation. He was also listed in *Colorado Super Lawyers – Rising Stars* for Civil Litigation Defense (2017-2021).

CASES

- Won a hearing for the majority owners of an ethanol production company to defeat a preliminary injunction attempt and completely unwind an *ex parte* ruling that the company's minority owners obtained to install a receiver to displace WTO's clients from running the company.
- Defended lawyers in dozens of cases involving a wide variety of legal issues including franchise law, mergers and acquisitions, and IP litigation.
- Won a defense verdict for a national carrier in a bad faith jury trial in which the plaintiff claimed the insurer must pay for a special run of bricks in order to fully repair the plaintiff's home. A 12-member jury unanimously rejected the plaintiff's claims, agreeing that WTO's client had acted in good faith. WTO also won the Tenth Circuit appeal.
- Won a complete defense verdict for a lawyer and law firm accused of malpractice in the handling of a sale of interests in the plaintiff's company.
- Won a defense verdict for a national carrier against a claim of negligent misrepresentation after a contentious appeal. After prevailing on eight claims on summary judgment, one claim was remanded for trial after an appeal. WTO's client won on the final claim after a six-day jury trial in Boulder County.
- Won summary judgment for a large regional law firm in a legal malpractice case involving claims that the firm's lawyers failed to properly advise the plaintiff regarding environmental issues in an underlying real estate transaction.

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- Won a motion to dismiss and a subsequent award of attorneys' fees and costs for a large nationwide insurer involved in a dispute over coverage amounts for a home lost in the 2012 Waldo Canyon wildfire.
- Successfully defended an insurer in an insurance bad faith and breach of contract trial arising out of the devastating Waldo Canyon wildfire of 2012. The plaintiff voluntarily dismissed one claim the morning of trial, lost another claim, and was awarded just five figures on the third claim after having demanded more than \$1 million.
- Represented a law firm client against allegations of ethical violations and breach of fiduciary duty in a legal malpractice case stemming from the firm's representation of a client in matters that later developed into a fierce family dispute. The case ultimately settled favorably for our client just a few weeks before trial.
- Represented a law firm client in three civil cases arising from an investigation into land use issues. The cases involved dozens of parties and tens of millions of dollars in claimed damages.
- Represented a professor at a large SEC university against allegations of tortious interference with a contract related to a technology licensing agreement. After aggressive briefing and negotiation, WTO obtained a voluntary dismissal for its client with no money paid to the plaintiff.
- Obtained voluntary dismissal with no money paid for a leading nationwide insurer in a bad faith case involving MedPay coverage. The plaintiff withdrew the complaint even before WTO filed its answer.
- Managed litigation for a leading nationwide insurer in bad faith cases related to MedPay coverage in 12 states (Alaska, Colorado, Connecticut, Delaware, Georgia, Montana, New Hampshire, North Carolina, South Carolina, Virginia, West Virginia, Wisconsin) and Washington, D.C.
- Won declaratory judgment and recovered fees and costs in a case for a large nationwide insurer involved in a dispute over life insurance proceeds.
- Developed prelitigation expert reports for an international manufacturer of home appliance components, which in many instances resulted in plaintiffs withdrawing their demands before filing a complaint.
- Worked with a trial team on a three-week jury trial, which resulted in a full defense verdict for a leading nationwide insurer. The case involved bad faith allegations related to a homeowners' insurance policy.

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BAR & COURT ADMISSIONS

- Colorado
Montana
U.S. Court of Appeals, 10th Circuit
U.S. District Court, D. Colorado

LEGAL MEMBERSHIPS, ACTIVITIES & HONORS

- The Best Lawyers in America
Commercial Litigation, 2022-2024
Legal Malpractice Law - Defendants, 2022-2024
Product Liability Litigation - Defendants, 2022-2024
Professional Malpractice Law - Defendants, 2024
Colorado Super Lawyers
Professional Liability, Defense, 2024
Rising Stars - Civil Litigation Defense, 2017-2021
American Bar Association
Colorado Bar Association
Colorado Defense Lawyers Association
Colorado Judicial Institute
Denver Bar Association
Faculty of Federal Advocates

COMMUNITY MEMBERSHIPS, ACTIVITIES & HONORS

- University of Denver
Professional Mentoring Program, 2015-Present

ARTICLES & PRESENTATIONS

Presentations

- Presenter, "Practical Judicial Ethics Dilemmas, the Lawyer's Perspective," The Biennial Judicial Ethics Training for Administrative Law Judges, (December 2, 2016).
- Presenter, "Pretrial Discovery and Depositions," Colorado Bar Association CLE, (November 2, 2016).
- Presenter, "Franchising Drafting Tips from Franchise Litigators," The Colorado Bar Association, Franchise Law Subsection, (September 29, 2016).

Newsletters

- The Threat From Within