



## **WILLIAM P. SOWERS**

### **Associate**

sowers@wtotrial.com | P 303.244.1941

### **EDUCATION**

Duke University School of Law,  
J.D., 2019, *magna cum laude*,  
Editor-in-Chief, Law &  
Contemporary Problems

James Madison University, James  
Madison University  
B.B.A., 2011, *cum laude*

### **GOVERNMENT SERVICE**

Law Clerk to The Honorable Ed  
Carnes, United States Court of  
Appeals for the Eleventh Circuit

### **OTHER EXPERIENCE**

Hunton Andrews Kurth LLP  
Jackson Lewis P.C.  
Gemstone Hotels & Resorts and  
Vail Resorts  
Senior Human Resources  
Business Roles

### **ADMISSIONS**

Colorado  
Virginia

**Will Sowers represents businesses in complex commercial disputes. He focuses much of his practice on critical motions and appeals. Will has handled matters in both federal and state court, as well as before the Third, Fourth, Ninth, and Eleventh Circuit Courts of Appeals. He also has significant experience handling insurance coverage litigation.**

### **HIGHLIGHTS**

- Won a \$50M Colorado Supreme Court Victory for Denver International Airport
- Drafted the appellate brief for a ski resort operator following a jury verdict in a negligent supervision case.
- Represented a water association in a petition for certiorari to the U.S. Supreme Court.
- Served as trial counsel in a two-week breach of contract and bad faith case in Colorado federal court.
- Won a renewed motion for judgment as a matter of law following a jury trial on behalf of a ski resort operator in a negligent supervision case, resulting in a significant reduction of the verdict.
- Briefed, argued, and won a motion to dismiss for personal jurisdiction representing an international machinery manufacturer in a products liability case.
- Represented a technology company in an action to recover hundreds of thousands of dollars that a former executive embezzled.

### **INDUSTRIES**

- Consumer Products & Services
- Insurance

### **PRACTICE AREAS**

- Appellate
- Commercial Litigation
- Employment

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## BIOGRAPHY

Will Sowers represents businesses in complex commercial disputes. He focuses much of his practice on critical motions and appeals. Will has handled matters in both federal and state court, as well as before the Third, Fourth, Ninth, and Eleventh Circuit Courts of Appeals. He also has significant experience handling insurance coverage litigation.

After graduating law school, Will served as a law clerk to the Honorable Ed Canes of the U.S. Court of Appeals for the Eleventh Circuit. Before law school, he held senior business roles in the human resources departments of two large hospitality companies.

## CASES

### Commercial Litigation

- Served as trial counsel in a two-week breach of contract and bad faith case in Colorado federal court.
- Advised on business interruption losses and other COVID-19 insurance recovery claims ranging from \$50 million to \$600 million.
- Drafted the summary judgment briefing in a \$20 million reinsurance dispute.
- Won a motion for judgment on the pleadings, and two motions for reconsideration, in a \$5 million insurance dispute over coverage for a tractor-trailer accident.
- Advised a client on recovery under errors & omission coverage for settlement of a \$4 million underlying bodily injury claim.
- Drafted the summary judgment briefing in a multimillion-dollar insurance coverage dispute over a waterpark injury.
- Successfully consolidated COVID-19 insurance coverage appeals over opposing counsel's objections.

### Appellate

- Won a \$50 million Colorado Supreme Court victory for Denver International Airport, overturning adverse bench trial and lower appellate court opinions and creating precedent that prohibits putative plaintiffs from using delay tactics to gain an unfair advantage in litigation.
- Drafted the appellate brief for a ski resort operator following a jury verdict in a negligent supervision case.
- Represented a water association in a petition for certiorari to the U.S. Supreme Court.

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- Drafted appellate briefs in COVID-19 business interruption cases before the Third, Ninth, and Eleventh Circuit Courts of Appeals, as well as in state appellate courts.
- Drafted an appellate brief in the Eleventh Circuit for a restaurateur whose employer liability insurance denied coverage.
- Advised a client in two oral arguments related to reinsurance recovery before a federal court of appeals.
- Advised a school district client on oral argument before the Fourth Circuit in a dispute about the civil procedure requirements for bringing an anonymous claim.
- Drafted the appellate brief in a multimillion-dollar reinsurance matter before the New York Supreme Court Appellate Division.

## Pro Bono

- Drafted an amicus brief in the District of Columbia Court of Appeals for a nonprofit in support of policyholders who were wrongfully denied insurance coverage.
- Drafted an amicus brief in the Fourth Circuit for psychologists and psychiatrists arguing that the competency evaluation performed in a death penalty case was not medically sufficient.
- Obtained a settlement of 1% of an insurer's initial demand on a subrogation claim for a military service member.

## Other Relevant Experience

- Won a renewed motion for judgment as a matter of law following a jury trial on behalf of a ski resort operator in a negligent supervision case, resulting in a significant reduction of the verdict.
- Briefed, argued, and won a motion to dismiss for personal jurisdiction representing an international machinery manufacturer in a products liability case.
- Represented a technology company in an action to recover hundreds of thousands of dollars that a former executive embezzled.

## BAR & COURT ADMISSIONS

Colorado

Virginia

U.S. Supreme Court

U.S. Court of Appeals, 10th Circuit

U.S. Court of Appeals, 11th Circuit

U.S. Court of Appeals, 3rd Circuit

U.S. Court of Appeals, 4th Circuit

# WILLIAM P. SOWERS

U.S. Court of Appeals, 9th Circuit

U.S. District Court, D. Colorado

U.S. District Court, E.D. Virginia

## LEGAL MEMBERSHIPS, ACTIVITIES & HONORS

The Best Lawyers in America

Ones to Watch - Appellate Practice, 2024

Ones to Watch - Commercial Litigation, 2024

Ones to Watch - Insurance Law, 2024

## ARTICLES & PRESENTATIONS

### Articles

- Co-Author, "Running out the Clock: The Period of Limitation in COVID-19 Insurance Lawsuits May Soon Come to an End," Insurance Coverage Law Center, (February 15, 2022).
- "Men, Take Paternity Leave to Embrace Fatherhood," Richmond Times-Dispatch, (November 5, 2021).
- Co-Author, "A New Test or Merely a New Name for Some Regulatory Takings?," Yale Journal on Regulation, (August 22, 2021).
- How Do You Solve a Problem Like Law-Disruptive Technology?, 82 Law & Contemporary Problems 193–214 (2019).

## PERSONAL INTERESTS

- Running, cycling, hiking, reading, writing, and spending time with my wife, three daughters, and large, fluffy dog.