



ANDREW M. UNTHANK

Partner & Recruiting Chair

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Drew Unthank represents leading companies in consumer class action, complex commercial, and product liability litigation across the United States. He is a go-to attorney for companies facing claims under state and federal consumer protection statutes. Drew is Martindale Hubbell AV peer-review rated, and Colorado Super Lawyers has named him a Rising Star for Class Actions/Mass Torts.

EDUCATION

University of Denver Sturm
College of Law, J.D., 2005
Order of St. Ives, Scholastic
Excellence Award, Moot Court
Appellate Team

Northern Arizona University,
B.S.B.A., 2001, Marketing
Gamma Beta Phi, Mortar Board
National Honor Society

GOVERNMENT SERVICE

Judicial Law Clerk to The
Honorable Nathan B. Coats,
Colorado Supreme Court
Intern to the Honorable John N.
McMullen, Denver District Court

ADMISSIONS

Colorado

HIGHLIGHTS

- Defend one of the world's largest appliance manufacturers in multiple consumer class action lawsuits across the country involving a variety of products and services.
- Served as the first-chair litigator on behalf of a Fortune 100 company against a former dealer and obtained an arbitration award including the full principal amount claimed plus attorneys' fees and costs.
- Defeated class certification amid allegations that 2,000,000 Whirlpool-made ovens were prone to overheat.
- Developed a successful legal challenge to class action claims brought against a nursing home chain under the Colorado Consumer Protection Act.
- Won a protracted bench trial for a franchisor with tens of millions of dollars at stake.
- Successfully defended several insurance companies against a variety of class action and individual claims regarding the offer and sale of extended personal injury protection and UM/UIM coverage.
- Drafted successful appellate briefs on issues relating to consumer protection act claims and bad faith breach of insurance contracts, and prepared winning summary judgment briefs in landowner premises liability suit.

INDUSTRIES

- Healthcare
- Oil & Gas
- Construction & Engineering
- Energy
- Consumer Products & Services
- Automotive
- Insurance

PRACTICE AREAS

- Class Actions
- Franchise & Distribution
- Commercial Litigation
- Product Liability
- Personal Injury Defense

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BIOGRAPHY

Drew Unthank represents leading companies in consumer class action defense, complex commercial, and product liability litigation. Drew's successful legal challenge to the Colorado Consumer Protection Act (*Hise, et al. v. SSC Submaster Holdings*) effectively squashed plaintiffs' ability to bring class claims under the Act.

In addition to his experience litigating consumer protection claims, Drew has successfully defended a variety of class actions, complex commercial, and catastrophic torts claims. He also serves as Chair of the firm's Recruiting & Diversity Committee. In this role, Drew has introduced behavior-based recruiting and interviewing methods to help the firm identify and hire exceptional attorneys poised to grow with WTO.

Beyond his professional pursuits, Andrew has mentored several first-year law students through the Lawyering Process program at the University of Denver's Sturm College of Law.

CASES

- Defend one of the world's largest appliance manufacturers in multiple consumer class action lawsuits across the country involving a variety of products and services.
- Served as the first-chair litigator on behalf of a Fortune 100 company against a former dealer and obtained an arbitration award including the full principal amount claimed plus attorneys' fees and costs.
- *Kljajic et al. v. Whirlpool* (N.D. Ill. 2017) - Defeated class certification amid allegations that 2,000,000 Whirlpool-made ovens were prone to overheat. WTO attorneys disqualified the plaintiffs' expert witness and successfully argued that the claims were overly broad and the plaintiffs' purported theories for failure were too many to achieve certification.
- *Hise, et al. v. SSC Submaster Holdings* (D. Colo. 2012) - Developed a successful legal challenge to class action claims brought under the Colorado Consumer Protection Act against a national nursing home chain and its affiliated companies and obtained a complete dismissal of all consumer protection claims brought by the proposed class.
- *Colorado Coffee Bean v. Peaberry Coffee* - Defended a franchisor against fraud claims made by franchisees, who sought tens of millions of dollars in actual and punitive damages. After a five-week trial, WTO won judgment for our client. The Court awarded \$2 million in attorneys' fees against the franchisees.
- Conducted direct and cross examinations of several witnesses at trial, including experts, and prepared company witnesses for deposition and trial testimony.
- Drafted successful appellate briefs on issues relating to consumer protection act claims and bad faith breach of insurance contracts, and prepared winning summary judgment briefs in landowner premises liability suit.

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- Successfully defended several insurance companies against a variety of class action and individual claims regarding the offer and sale of extended personal injury protection and UM/UIM coverage.
- Taken and defended the depositions of numerous expert and lay witnesses, including named class representatives, in a variety of class action, commercial, and product liability suits involving defective design, insurance coverage, and banking issues.

REPRESENTATIVE CLIENTS

United States Olympic Committee
USAA
Whirlpool - National Trial Counsel

BAR & COURT ADMISSIONS

Colorado
U.S. District Court for the District of Colorado
U.S. District Court for the Eastern District of Michigan

LEGAL MEMBERSHIPS, ACTIVITIES & HONORS

Martindale-Hubbell AV® Peer Review Rated
Colorado Rising Stars
Class Actions/Mass Torts, 2014-2018
Business Litigation, 2011-2013
Law Week Colorado's Up-and-Coming Lawyers
Selected, 2008
Finalist, 2010
Colorado Civil Justice League
Member of the Legal Advisory Board
International Franchise Association
Member of the FASB working group
University of Denver Sturm College of Law
Annual participant in the Lawyering Process mentoring program
Legal Aid Foundation
Associates' Campaign Fundraising Chair 2011-2012 (set fundraising record both years)
Denver Bar Association
Colorado Bar Association
American Bar Association

COMMUNITY MEMBERSHIPS, ACTIVITIES & HONORS

Open Media Foundation
Board of Directors
Development Committee

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ARTICLES & PRESENTATIONS

- "2012-2013 E-Discovery Case Law Update," presented at the COALSP 7th Annual E-Discovery Summit in Denver, CO (October 11, 2013).
- "Green Building in Colorado: Know the Risks!" presented at Wheeler Trigg O'Donnell (November 2009).
- "An Architect's Guide to Understanding Modern Copyright Protection for Architectural Works," *Preventive Law Reporter*, University of Denver Sturm College of Law, Vol. 22, No. 3 (2004).

PERSONAL INTERESTS

Mountain biking, backpacking, travel, live music