

LAW WEEK

COLORADO

Top Women Lawyers 2014

This year's top women lawyers caught our attention for a variety of reasons. One helped shepherd her company's legal department through a merger while she simultaneously worked on the unsecured creditors bankruptcy committee for American Airlines; another had two of the largest jury verdicts last year while she was the managing partner of her growing firm; yet another worked tirelessly on behalf of a death penalty inmate, where she ultimately proved that her client had been wrongfully convicted of an underlying murder. Each of the women on the following pages was a standout in her respective field, and we'll be watching them in the coming years to see what else they might do. | LAW WEEK PHOTO ALI BIBBO

Miko Ando Brown



IT'S AN UNDERSTATEMENT to say the odds looked to be against Miko Ando Brown in a recent asbestos mesothelioma case tried in Philadelphia.

The case involved a former police officer who had died from mesothelioma as a result of asbestos exposure. Brown and fellow Wheeler Trigg O'Donnell partner John Fitzpatrick were brought in for the trial four weeks before the trial date.

They were representing an automobile gasket manufacturer with no explanation for the source of asbestos that could have caused the decedent's condition, and the plaintiff's counsel had never lost an asbestos case. Brown said Philadelphia is notorious as a plaintiff-friendly jurisdiction. Not only that, but the judge, who Brown said was an old school buddy of the plaintiff's attorney, told her they couldn't win — they were in Philadelphia with a dead cop, he said.

What tipped things in Brown's favor,

however, was that there isn't enough scientific literature suggesting gaskets are able to release enough asbestos to cause mesothelioma, she said. Usually, there is another larger source of the asbestos exposure, such as a Navy ship or a manufacturing plant.

Brown found the source of the exposure she knew was out there. She came across two medical records documenting a conversation the plaintiff had with a doctor where he mentioned he had been exposed to asbestos while working at a ceramic tile factory.

"It changed the case," she said. "We suddenly had a defense."

Brown and Fitzpatrick had enough time to get supplemental expert reports and rework their strategy. When the judge told them the settlement claim was in bad faith and that they couldn't win, they tried the case with an alternative exposure claim and won in favor of their client.

In the past year, Brown had other big

defense victories, including the third consecutive constitutional rights win for Wheeler Trigg.

In one, a man turned himself in for leaving the country while on parole and staying longer than he was supposed to. After his arrest, he filed charges against the police officers who had detained him in a cell at Denver International Airport. He alleged the officers used excessive force, deprived him of water and didn't return confiscated cash and jewels that he brought with him into the country.

Because the detention cell had a video camera, all of his claims had been caught on video and were clearly false or exaggerated. Brown filed a motion to dismiss and had discovery stayed for a qualified immunity defense. She then filed for summary judgment immediately after and had the case dismissed.

Aside from her victories inside the courtroom in the past year, Brown has also seen a big win within her firm, where she helped

establish the Women In Leadership Lecture series, known as WILLS, which is intended to connect women in the law with a support network and examples of women who have successfully reached leadership positions.

Brown said the idea behind WILLS is rooted in the phrase, "you can't be it if you can't see it." It's hard for younger women to obtain positions of leadership if they're not around others who occupy those positions or have women sponsors and mentors to turn to for advice.

The idea for WILLS came to Brown on her way back from an American Bar Association Women in the Law conference in December 2013. She said the conference dealt largely with practical solutions to the obstacles women in the law face, and it gave concrete guidance that everyone in the room could implement that day.

Brown and fellow partners and associates from Wheeler Trigg discussed the conference and came up with the idea for WILLS — a quarterly panel discussion that focused on positive, successful women who could give the audience guidance on how to make things better.

The first panel, held in March, focused on how the women on the panel came to get the positions they were in and what they did at times when they felt like throwing in the towel.

"We're not going to have women GCs and partners if they quit before they're even up for consideration," Brown said. "That's one of the things we're trying to do with the WILLS program, we're trying to create a strong network of women and men who are not going to let the next generation of leaders quit."

For Brown, she has managed to stick with the law by relying on her own support network of sponsors. She said one of the greatest things about WILLS is that it has helped her expand the group of women whom she can turn to for support or advice.

"It's a game changer to have that support network," she said. •

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