



## ANDREW W. MYERS

### Counsel

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**Andrew Myers has built a nationwide practice representing sophisticated clients in complex commercial litigation and class action lawsuits. His clients have included manufacturers, railroads, and professional services firms, among others.**

### EDUCATION

University of Colorado Law School,  
J.D., 2002

*Colorado Journal of International  
Environmental Law & Policy*, Editor-  
in-Chief

James N. Corbridge Initiative Award  
for Outstanding Leadership  
Contribution to the  
*Colorado Journal of International  
Environmental Law & Policy*

University of Colorado, Bachelors of  
Environmental Design, 1998

### OTHER EXPERIENCE

Husch Blackwell LLP  
Jacobs Chase LLC

### ADMISSIONS

Colorado

### HIGHLIGHTS

- Won precedent-setting Colo. Supreme Court victory for Crestone Peak Resources.
- Won a published opinion for Crestone Peak Resources against Boulder County in an oil and gas lease dispute involving Crestone's \$900M DJ Basin investment.
- Successfully represented apartment owner Aimco in nationwide litigation alleging intentional torts against Airbnb, resulting in favorable settlement after jury selection.
- Won Seventh Circuit victory in a fee dispute for Whirlpool and Sears relating to front-loading washing machine litigation.
- Won reversal and remand for a developer in an easement dispute.
- Won a defense jury verdict as co-trial counsel in a \$66 million federal certified class action in Ohio involving allegedly "moldy" washing machines.
- Successfully represented a client in confirmation/vacatur proceedings in the U.S. District Court for the District of Colorado and the U.S. Court of Appeals for the Tenth Circuit following entry of a \$53 million arbitration award in his favor and against a major bank.

### INDUSTRIES

- Consumer Products & Services
- Financial Services
- Real Estate

### PRACTICE AREAS

- Appellate
- Class Actions
- Commercial Litigation

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## BIOGRAPHY

Andrew Myers has built a nationwide practice representing sophisticated clients in complex commercial litigation and class action lawsuits. His clients have included manufacturers, railroads, and professional services firms, among others.

Prior to joining WTO in 2014, Andrew served as a senior associate at the Denver offices of Husch Blackwell LLP where he focused his practice on civil litigation with major clients in the railroad and real estate industries. He also worked as an associate at two other Denver law firms, including the former Jacobs Chase, after graduating law school.

Andrew has extensive experience in all aspects of pretrial discovery and trial preparation including high level case strategy, drafting briefs, taking depositions, and writing and organizing discovery.

## CASES

- Won a Colorado Supreme Court opinion for Crestone Peak Resources in a lease dispute with significant implications for Colorado's oil and gas industry.
- Won a published opinion for Crestone Peak Resources, protecting strategically important aspects of the company's original \$900M investment and affirming the trial court's summary judgment rulings for WTO's client after Boulder County sought to invalidate several of the company's oil and gas leases.
- 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.
- 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 reversal of summary judgment against our client, a real estate developer, in a dispute over a reciprocal easement, the outcome of which had a multimillion-dollar effect on the value of the property. The case was remanded to district court with orders to hear evidence at trial.
- 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.
- Represented the plaintiffs and a certified class in a multimillion-dollar class action involving securities fraud, conspiracy, and breach of fiduciary duty claims against an investment advisor, broker dealer, and private placement annuity issuer.

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- Represented claimants and a putative class in a AAA class arbitration involving forced cash-outs of employee stock options in connection with a major telecommunications company merger.
- Successfully defended a law firm and its attorneys in a breach of settlement agreement and tort action over alleged violations of a confidentiality provision.
- Obtained summary judgment for a client and certain trusts in a multimillion-dollar lawsuit brought by his sister as leverage to obtain a buyout of her interest in closely held family partnerships.
- Represented a Denver family and their trusts in an unsuitable securities FINRA arbitration against a major bank.
- Successfully represented a client in confirmation/vacatur proceedings in the U.S. District Court for the District of Colorado and the U.S. Court of Appeals for the Tenth Circuit following entry of a \$53 million arbitration award in his favor and against a major bank.

## BAR & COURT ADMISSIONS

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

## LEGAL MEMBERSHIPS, ACTIVITIES & HONORS

- *Colorado Rising Stars* Business Litigation, 2009-2014  
Colorado Bar Association

## ARTICLES & PRESENTATIONS

- Co-Author, Evaluating Section 230 Liability in the Sharing Economy," Law360, (September 3, 2019).

## PERSONAL INTERESTS

- Golf, photography, and watching movies