

Appellate



Fred Yarger Ranked in
Chambers Band 1 for
Colorado Appellate

Our team, led by the former Colorado Solicitor General, has handled high-stakes appeals in every federal circuit court and most state courts. Our Supreme Court experience dates back decades, to the firm's founding. Our appellate team has successfully overturned substantial adverse judgments in multiple jurisdictions, including cases involving close to \$100 million in total liability, and have defended favorable trial-court outcomes across the country.

We handle appeals after having also handled the trial, or when brought in by clients seeking strong appellate capability after another firm has tried the case. As a nationally ranked trial firm, our trial experience informs our appellate strategies long before the appeal. We prepare every case as if it will be tried to verdict and approach each trial as if the outcome may be appealed. Our appellate lawyers often join trial teams to preserve critical issues—without impairing the prospects for trial court wins.

Cases

Lead appellate counsel for an insurer facing one of the largest bad faith jury verdicts and judgments in the country, approaching \$180 million.

Won a jury verdict for DISH Wireless in a cell tower contract dispute worth hundreds of millions of dollars, and successfully defended that victory on appeal.

Represented a public telecom company as lead counsel in the Colorado Supreme Court in a putative federal Securities Act class action on an issue of first impression under Colorado procedural rules.

Representing a healthcare system in the appeal of a nuclear verdict in Oklahoma.

Argued before the U.S. Supreme Court in October 2025, in a case involving tort reform measures adopted by a majority of states.

Representing the City and County of Denver in the appeal of a multi-million-dollar federal jury verdict.

Won an appeal reversing a multimillion dollar judgment against our client, X Corp., and reviving affirmative claims in a real estate dispute with a former landlord.

Represented a debt purchaser as lead appellate counsel in state supreme court on an issue of first impression affecting the debt buying industry.

Won a defense victory on appeal in a multimillion dollar insurance and construction defect dispute, overturning an adverse jury verdict, winning judgment on the most significant portion of the claim, and receiving a complete retrial on all other issues.

Won reversal of a multi-million-dollar jury verdict and a complete retrial for an Arizona health system and physician, based on opposing counsel's misconduct during closing argument.

Won case-ending summary judgment for one of the world's largest companies in a catastrophic injury case in which the plaintiff sought over \$130 million in damages.

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.

Won a Colorado Supreme Court opinion for Crestone Peak Resources in a lease dispute with significant implications for Colorado's oil and gas industry.

Successfully defended Colorado's new congressional map to the Colorado Supreme Court in a fast-paced appeal. The appeal raised complicated, novel questions of constitutional law, and was the first time the court applied Colorado's new laws governing congressional redistricting. Over a dozen parties filed briefs, and argument was held less than two weeks after the Commission adopted the map.

Represented an oil and gas company as post-trial and appellate counsel to defend a verdict of over \$40 million in a complex commercial dispute involving an agreement to develop hydrocarbon assets.

Won in the First Circuit for a major shipping logistics company to affirm dismissals of wage theft and other claims under state and federal law.

Successfully defended a favorable class certification ruling in the Ninth Circuit on behalf of a major shipping logistics company.

Won a groundbreaking appeal to vacate a \$150 million arbitration award that had been entered against the majority owner of Colorado cannabis corporation when he was represented by another law firm.

Won a Montana Supreme Court victory for a health system in a putative consumer class action that challenged its policy of issuing refunds in the form of pre-paid debit cards. The victory affirmed our prior summary judgment win and defeated the plaintiff's new claims on appeal.

Contacts

Frederick R. Yarger
Partner