

Defended Silverton Mountain against claims brought by an adjacent landowner/competitor. The plaintiff sought damages and an injunction to shut down the ski area based on allegations of trespasses caused by our client's avalanche control work. We won a defense verdict.

2005

Wheeler Trigg O'Donnell defended the Silverton Mountain Ski Area in southwestern Colorado in a lawsuit brought by an adjacent private landowner and potential competitor for the BLM lease. The plaintiff sought damages and an injunction to shut down the ski area, based on allegations of repeated and inevitable trespasses by our clients' skiers, and the employees who conducted avalanche control work.

Our client argued that its avalanche control work was permitted under an agreement with San Juan County which authorized it to perform this work to safeguard the county roads surrounding the ski area.

After a two-week trial, the Court issued a detailed opinion, acknowledging that trespasses had occurred, but denying the injunction, and declining to award compensatory damages. The Court's decision assured that Silverton Mountain will

Related Professionals



Hugh Q. Gottschalk
Partner

continue to be able to operate and grow as one of Colorado's newest ski area.