

Hugh Q. Gottschalk

Partner

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 303.244.1896



Hugh Gottschalk has taken more than 75 trials to verdict and over 20 arbitrations to award, delivering outstanding results for sophisticated clients. He represents companies and individuals across diverse industries in complex commercial, torts, and intellectual property lawsuits.

“He brings calm to the chaos of high-stakes litigation.”

- Client comment to Chambers USA

Hugh is a Fellow and past Colorado State Chair of the American College of Trial Lawyers, and has been ranked in Chambers for more than 20 years. Chambers describes Hugh as “an excellent strategist and trial lawyer,” and ranks him among the top commercial litigators in Colorado.

Hugh’s commercial litigation experience is extensive. He has represented clients in numerous disputes involving alleged breaches of contracts, fraud and misrepresentation, securities, franchise matters, and intellectual property infringements. He has served as national or regional trial counsel to several large and well-known companies in industries as diverse as oil and gas, automotive, information technology, manufacturing, and consumer and professional services.

In 2010, Hugh led the WTO team that managed the response to 418 dealer arbitration requests and the litigation of 187 of the Section 747 arbitrations for Chrysler Group. WTO was one of only two law firms in the country representing Chrysler in these matters. Over a four-month period, Hugh himself tried nine of these arbitrations and won eight.

Credentials

Education

University of Colorado Law School, J.D., 1979, *University of Colorado Law Review*, Articles Editor

Northwestern University, B.S., 1975, Biochemistry

RECOGNITION

Chambers USA

Commercial Litigation - Colorado, 2005-2025

Band 1 - 2018-2025

Band 2 - 2007-2017

Benchmark Litigation

Litigation Star, 2020-2026

Insurance Litigation - Colorado, 2016

Commercial Litigation - Colorado, 2011-2015, 2017-2018

BTI Consulting

Client Service All Star, 2025

The Best Lawyers in America

Personal Injury Litigation Lawyer of the Year, 2025

Denver Bet-the-Company Lawyer of the Year, 2016, 2020

Denver Intellectual Property Litigation Lawyer of the Year, 2014

Bet-the-Company Litigation, 2008-2024, 2026-2027

Commercial Litigation, 2008-2027

Litigation - Intellectual Property, 2016-2027

Oil and Gas Law, 2022-2023, 2027

Personal Injury Litigation - Defendants, 2018-2027

Product Liability Litigation - Defendants, 2008-2027

5280 Magazine

Top Lawyer, Civil Litigation, 2020-2021, 2023

Top Lawyer, Commercial Litigation, 2025

ColoradoBiz

Business Litigation Power List, 2026

Colorado Super Lawyers

Super Lawyers, Business Litigation, 2006-2025

Top 10, 2018-2020; 2008, 2021

Top 50, 2009-2011

Top 100, 2012-2017, 2022-2023

University of Colorado Law School

2017 Distinguished Alumni Award - Private Practice

LEGAL MEMBERSHIPS

American College of Trial Lawyers

Fellow

Chair, Colorado State Committee, 2016-2018

American Board of Trial Advocates

Member

Defense Research Institute

American Bar Association
Litigation Section

Colorado Bar Association
Patent, Trademark, and Copyright Section

Denver Bar Association

National Institute for Trial Advocacy
Faculty

American Civil Liberties Union of Colorado
Board of Directors

Legal Aid Foundation
Chairperson, 2011-2012

Rothgerber Moot Court Competition
Finalist

University of Colorado School of Law's National
Moot Court Team Member

BAR AND ADMISSIONS

Colorado
U.S. Supreme Court
U.S. Court of Appeals, 10th Circuit
U.S. Court of Appeals, 9th Circuit
U.S. District Court, D. Colorado
U.S. District Court, E.D. Michigan

ARTICLES AND PRESENTATIONS

"Automatic Disclosure in Discovery: The Rush to Reform," 27 Ga. L. Rev. 1

Presenter, "Taking and Defending Depositions," CLE credit to assistant U.S. attorneys and other federal agency counsel at the United States Attorney's Office for the District of Colorado

Presenter, "Cross Examination - Perfecting an Effective Cross and Handling Difficult Witnesses and Experts," The Winning at Trial: Tactics and Skills for 2011, sponsored by the American College of Trial Lawyers

Practices

[Antitrust](#)

[Catastrophic Injury](#)

[Commercial Litigation](#)

[Franchise](#)

[Intellectual Property](#)

[Mass Torts](#)

[Pro Bono](#)

[Product Liability](#)

Cases

HIGHLIGHTS

[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.](#)

[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 defense verdict in a highly public, multi-week jury trial alleging a wrongful death claim against a recreation industry client following the tragic death of a minor. Successfully defended the appeal.

[Won a directed verdict in a trade secrets trial for an oil and gas company. The plaintiff claimed theft of its technical geological data that allegedly had allowed the defendant to improperly acquire several hundred thousand acres of oil and gas leases in northeastern Nevada. The plaintiff's expert opined that the misappropriation of the trade secrets had caused more than \\$1 billion dollars in damages.](#)

[Won an arbitration award for future oil and gas royalties valued between \\$70,000,000 and \\$100,000,000 in a David v. Goliath case against a multinational oil company.](#)

Co-managed with one other law firm the response to requests from 418 dealers for arbitration relating to the bankruptcy of Chrysler Group LLC and following Chrysler's termination of those dealerships. We litigated 187 of these Section 747 arbitrations, and, as directed by Congress, resolved all of the litigation within seven months--with a 96% success rate.

Briefed an appeal in the United States Court of Appeals for the Second Circuit, resulting in full affirmance of a verdict in favor of our client, Chrysler Group, on a federal statutory issue of first impression stemming from Congress's enactment of Section 747 of the Consolidated Appropriations Act of 2010.

Won a jury defense verdict for Conoco following a six-week trial involving claims by the town of Castle Rock, Colorado that a leaking Conoco underground storage tank had contaminated the town's municipal drinking water.

Represented Conoco in a series of cost-recovery lawsuits and arbitrations relating to the environmental clean-up of Conoco's Denver refineries.

CASES

Succeeded at the Colorado Court of Appeals in an 8-figure dispute for LivWell, a subsidiary of PharmaCann, the country's largest vertically integrated cannabis company. The Court of Appeals affirmed the trial court's terminating sanctions, issued after the our team proved that the plaintiff fabricated evidence.

Won a jury verdict in a \$50 million commercial dispute involving breach of fiduciary duty, corporate waste, and embezzlement claims in a two-week trial in Los Angeles Superior Court. We won dismissal of the corporate waste claim before the jury began deliberations, and the jury found that our client did not embezzle money.

Successfully represented a party in a \$2 billion dispute surrounding the future ownership of the Broncos NFL franchise and family trust.

Won the appeal to end a bitter ownership fight for a \$1 billion oil and gas company.

Obtained preliminary injunction for a television provider against a large Middle Eastern media company that violated an exclusive distribution agreement.

Won affirmance of our trial victory for IBM Corp. in a \$6.1 million municipal tax dispute.

Won a defense verdict as co-counsel to defeat claims that our oil and gas client owed \$400 million to a stakeholder.

Won a defense verdict as co-counsel to defeat \$800 million claims in a bet-the-company shareholder dispute involving an oil and gas client.

Won a pair of rare, permanent injunctions against a major distributor that infringed on our client's exclusive distribution territory.

Won a trial verdict for IBM as plaintiff in a \$6.1 million tax dispute against the City of Golden involving sales and use taxes assessed over a seven-year span.

Argued and won for FCA (fka Chrysler) in the Sixth Circuit in a case involving the question of whether federal legislation enacted following the Chrysler bankruptcy preempted Ohio state dealer laws.

Won an arbitration ruling for \$2.9 million, including punitive damages, for an investment fund misled into overpaying for an oil field services company based on misrepresentations made during the sale and omissions made during settlement negotiations regarding the sale.

Represented Phoenix Children's Hospital in a claim asserted by Banner Health that a merger between PCH and another healthcare entity triggered a termination clause in a lease of PCH's neonatal ICU. Following a two-week trial, the arbitrator terminated the lease.

Represented Chrysler in a case in which several Chrysler dealers asserted Chrysler failed to comply with an obligation to provide new dealerships following its bankruptcy. Following trial, the court entered judgment for Chrysler.

Successfully defended Chrysler against an automobile dealership's allegations of oppressive and unreasonable terms in a letter of intent to enter into a franchise agreement after Chrysler's bankruptcy in a franchise case of national significance.

Defended an investment advisory firm in Cook County, IL against a \$10 million professional negligence claim. After a two-week trial, the jury found for the defendant.

Represented plaintiffs challenging the constitutionality of increasing copyright protection by 20 years and Section 514 of Uruguay Round Agreements Act extending copyright protection to foreign works. The United States Supreme Court ruled the statutes were constitutional.

Represented a managing partner in a \$5 million suit between law firm partners with respect to claims of fraud and mismanagement. After a two-week trial, our client prevailed on fraud and mismanagement claims, and the Court ordered an accounting and liquidation of the firm.

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, we won judgment for our client. The court awarded \$2 million in attorneys' fees against the franchisees.

Won a jury defense verdict for a limited liability company whose members claimed a distribution of funds violated the company's operating agreement.

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.

Represented BDO Seidman in a shareholder suit that claimed securities fraud and a negligent audit by the company's accountants. Persuaded the plaintiffs the audit process could not have uncovered the manipulation, and plaintiffs dismissed their claims.

Won Fifth Circuit affirmation of the lower court's granting of summary judgment in a case alleging unfair monopolization against FMC Corporation and involving the company's aircraft boarding bridges.

Represented Conoco in the favorable settlement of toxic tort litigation brought by the City and County of Denver regarding the contamination and cleanup of Denver's former airport.

Represented Coors in the settlement of CERCLA litigation brought by the City and County of Denver regarding the Lowry Landfill.

Represented American Greeting in trademark/antitrust litigation regarding nationwide market for distribution of greeting cards.

Defended Conoco against toxic tort litigation brought by an oil refinery and relating to the joint remediation of the two companies' adjacent refineries.

Defended Conoco against personal injury claims relating to an accident at one of its refineries. The plaintiff prevailed in a seven-day jury trial, but the case was later reversed by the Colorado Court of Appeals.

Settled accounting malpractice litigation relating to the embezzlement of \$10 million by a company's president.

Secured a civil rights settlement in a pro bono case for a child with autism.
