Wheeler Trigg O'Donnell

Kevin J. Kuhn

Partner

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AMERICAN COLLEGE OF TRIAL LAWYERS

BENCHMARK LITIGATION

"Best Medical Malpractice Lawyer for Defendants" from Law Week Colorado

RECOGNIZED BY Super Lawyers 2026 Wheeler Trigg O'Donnell LLP

Kevin Kuhn has represented clients in more than 135 trials to verdict, including 80 jury and 55 bench trials. He has extensive experience defending high-stakes medical malpractice and professional liability claims, in addition to catastrophic personal injury and complex commercial litigation. Kevin is a Fellow of the American College of Trial Lawyers, the International Academy of Trial Lawyers, and ABOTA. He is a retired Colonel in the AF JAG Reserve.

Kevin has defended medical malpractice cases involving physicians, dentists, oral surgeons, hospitals, nurses, and other healthcare providers; defended professional negligence cases involving attorneys, accountants, and real estate agents and brokers; and represented injured parties.

He has defended long-term care facilities and mental health professional negligence actions and litigated cases in areas of insurance coverage, premises liability, product liability, oil and gas, commercial law, domestic relations, agricultural products, and employment law. He represents healthcare and other professionals in administrative licensing and credentialing matters and hearings. In addition to his civil practice, Kevin has prosecuted and defended criminal cases. He has extensive deposition experience and expertise in all kinds of civil and commercial cases. He is a frequent and sought-after continuing legal education speaker and frequently speaks to healthcare professionals.

Credentials

Education

University of Oklahoma College of Law, J.D., 1977

University of Oklahoma, B.A., 1974, Major in Political Science/Law Enforcement, Minor in Journalism

GOVERNMENT SERVICE

United States Air Force Judge Advocate General's Corps
Prosecutor, 1977-1981
Reserves, 1981-2006
Retired as Colonel

RECOGNITION

American College of Trial Lawyers
Fellow

American College of Trial Lawyers Journal
Editorial Board

Benchmark Litigation
Litigation Star, 2017-2018, 2020-2026

Medical Malpractice - Colorado, 2013-2016

The Best Lawyers in America

Personal Injury Litigation - Defendants Lawyer of the Year, 2022, 2024
Medical Malpractice Law - Defendants Lawyer of the Year, 2024
Denver Professional Malpractice Law Lawyer of the Year, 2016, 2019
Denver Medical Malpractice Defense Lawyer of the Year, 2013, 2019
Commercial Litigation, 2018-2027
Medical Malpractice Law - Defendants, 2007-2027
Personal Injury Litigation - Defendants, 2018-2027
Professional Malpractice Law - Defendants, 2015-2027

Colorado Super Lawyers

Personal Injury Defense: Medical Malpractice, 2006-2026
Top 100, 2012-2022, 2024-2026
Top 10, 2008
Top 50, 2007-2011

5280 Magazine

Top Lawyer - Medical Malpractice: Defense, 2015-2021, 2023-2026

Law Week Colorado

"Barrister's Choice" Best Medical Malpractice
Defense Lawyer, 2019-2022, 2024
"People's Choice" Best Medical Malpractice Defense Lawyer, 2011-2012, 2014-2017, 2023

Colorado Supreme Court Nominating Commission

1995-2001

Martindale-Hubbell AV® Peer Review Rated

LEGAL MEMBERSHIPS

Arapahoe County Bar Foundation
Fellow

Colorado Supreme Court Jury System
Standing Committee

International Academy of Trial Lawyers
National Admissions Committee Member

American Board of Trial Advocates
Member

American Bar Association
Litigation Section

Colorado Bar Association

Oklahoma Bar Association

Denver Bar Association

Arapahoe County Bar Association
Board of Directors, 1996-1998

Aurora Bar Association
Vice President, 1994-1995
President, 1995-1996

Faculty of Federal Advocates
President, 2008

Colorado Defense Lawyer's "Trial Idol" Closing Argument Contest
Winner, 2006

Claims & Litigation Management Alliance, Invited Member

Colorado Defense Lawyers Association

Colorado Bar Foundation
Fellow

Catholic Lawyers Guild
Vice President, 1999-2000
President, 2000-2001

Federation of Insurance & Corporate Counsel, 1989-1995

University of Oklahoma College of Law Association

Independence of the Judiciary Committee, 18th Judicial District, Colorado

BAR AND COURT ADMISSIONS

Colorado
Montana
New Mexico
Oklahoma
U.S. Court of Appeals for the Armed Forces
U.S. Court of Appeals, 10th Circuit
U.S. District Court, D. Colorado
U.S. District Court, N.D. Florida
U.S. District Court, W.D. Oklahoma

COMMUNITY ACTIVITY

University of Colorado Office of Admissions
Admissions Committee, 2005-2013

Florence Crittenton Services
Board of Directors, 2012

Aurora Community Health Center
Board of Directors, 1991-1992

Colorado Beer Club, 1991-present

Congressman Tancredo's Military Academies Merit Selection, 2000

Habitat for Humanity Volunteer, 2005; 1996

Havana Heights Neighborhood Association
President, 1997-1999

Church of the Risen Christ, Denver, Colorado
Parishioner

Rocky Mountain Multiple Sclerosis Center
Planned Giving Committee, 1986-1990

Sigma Chi Fraternity
Life-Member

Read Across America Day
Volunteer Reader, 1998

ARTICLES AND PRESENTATIONS

Contributor, “Electronic Records and Metadata: Old and New Liability Risks,” Contemporary OB/GYN.

Presenter, “Dealing with High Exposure Media Sensitive Cases,” MPLA Claims and Risk Management/Patient Safety Workshop.

Co-presenter, “Mitigating the Risk of Nuclear Verdicts,” COPIC’s annual Patient Safety Risk Management Forum.

Co-presenter, “National Counsel, National Solutions,” Medical Professional Liability Association’s Claims Defense Forum.

Presenter, “Discovery Duel - Plaintiff Versus Defendant Debate & Update,” The Colorado Defense Lawyers Association CLE.

Presenter, “Practical Judicial Ethics Dilemmas, the Lawyer’s Perspective,” The Biennial Judicial Ethics Training for Administrative Law Judges.

Presenter, “Closing Arguments,” The Colorado Defense Lawyers Association Summer Conference.

Presenter, “The Fundamentals of Expert Witness Examinations,” The Colorado Defense Lawyers Association’s Trial Academy.

“Winning Trial Tactics of 2013 - Choosing Your Audience: How to Decode, Decipher and Enlighten Complete Strangers During Jury Selection,” American College of Trial Lawyers and Colorado Bar Association’s, Denver, Colorado.

“CDLA/CTLA Joint CLE – Discovery Issues: How Both Sides of the Bar Can Be More Cooperative in Discovery,” Ralph L. Carr Colorado Judicial Center, Denver, Colorado.

“The Catholic Lawyers Guild of Colorado Seminar 2013: Ethics and Beyond- Food for the Journey – *“(Lead Us Not Into) Temptations: The Rules of Professional Conduct,”*, Sacred Heart Jesuit Retreat House, Sedalia, Colorado.

Presenter, “The Trial Lawyer’s Perspective on Judicial Conduct and Misconduct,” The Judicial Ethics Training for Administrative Law Adjudicators.

Presenter, “Voir Dire - Mastering Persuasion, Eliciting Information and Educating Jurors,” Winning at Trial: Tactics and Skills for 2011, sponsored by the American College of Trial Lawyers.

Presenter, “Shoulder Dystocia: Defending the Healthcare Provider,” Medical Legal Issues in Obstetrics Practice.

Presenter, “Our Courts,” Windcrest Independent Living.

“Making It Right: Compensation, Safety, and Accountability for Children Born in Colorado with Neurological Impairments,” Panelist, Common Good Colorado.

Presenter, “Voir Dire,” Colorado Defense Lawyers Conference.

Presenter, “Voir Dire,” Colorado Defense Lawyers Conference.

Presenter, “Ethics for Military Judges,” Interservice Military Judges’ Seminar.

“Deposition Conduct Behavior: What’s Acceptable, What’s Not, Moderator,” Faculty of Federal Advocates.

Presenter, “Tort Reform Issues,” Institute for the Advancement of the American Legal System.

Presenter, “Ethics in Managing Claims,” Colorado Claims Association.

Presenter, “Civil Law Update,” Colorado Judicial Conference.

Presenter, “Lawyers: Advertising, Consumer Protection Act, and Deposition Behaviors,” Louisiana Defense Lawyers Seminar.

Presenter, “Discovery: A Practical Approach to Current Issues,” Colorado Judicial Conference.

Presenter, “Enforcing and Negotiating Settlements,” Colorado Bar Association’s Personal Injury Litigation Program.

TEACHING POSITIONS

Air Force Judge Advocate General School
Trial advocacy and professional responsibility courses, 1999-2004

United States Air Force Academy
Department of Law Instructor, Reservist, 1996-1999

Practices

Appellate
Catastrophic Injury

Commercial Litigation
Employment/Class Actions
Healthcare Litigation
Investigations
Product Liability

Cases

Won a defense verdict for a hospital following an eight-day jury trial in Missoula, Montana.

Won a defense jury verdict in Montana for a medical center and pediatric neurologist facing up to $30 million in damages. The plaintiff claimed that our clients failed to timely diagnose and treat a rare neurological disease that led to blindness. Courtroom View Network named this one of the Top 10 verdicts of 2022.

Argued remotely and won reversal of a $15 million medical malpractice jury verdict in the Colorado Court of Appeals. The court ruled that the Corporate Practice of Medicine Doctrine precluded the plaintiff's claims against our surgery center client.

Won a defense verdict after a four-week trial for a physician facing $70 million in damages claims arising from allegations that our client and others failed to timely diagnose and treat bacterial meningitis in a minor. Seven co-defendants had settled, leaving our physician client and another physician defendant alone at trial.

Won a defense jury verdict for an orthopedic surgeon in a multimillion-dollar medical malpractice lawsuit in Colorado regarding claims involving intraoperative complications resulting in partial paralysis.

Won affirmance from the Colorado Court of Appeals in a defense verdict for our labor and delivery nurse client. Plaintiffs had claimed $17 million in this obstetrical malpractice claim.

Won an appeal argued before the Colorado Supreme Court challenging a trial court's order to submit Quality Management Privileged (QMP) materials relating to an incident at issue in a medical malpractice trial. The appellate decision is significant, as the QMP designation allows hospitals and healthcare providers to assess and innovate following critical incidents without concern that their discussions will be discovered.

Won a complete defense verdict in federal court in Colorado for an emergency physician in a three-week medical malpractice trial in which the plaintiff alleged misdiagnosis leading to paralysis and asserted damage claims of $12 million.

Obtained victory before the Colorado Court of Appeals for a bariatric surgeon. Our lawyers tried and won the original case, which involved alleged complications following gastric bypass surgery. The Court of Appeals rejected the plaintiff's assertions that the lower court erred in precluding certain expert testimony and affirmed the 2011 trial court verdict.

Won a unanimous defense verdict for a labor and delivery nurse in a $17 million, three-and-a-half-week obstetrical malpractice trial in Colorado state court.

Defended a trucking company against negligence claims arising from a nine-vehicle accident on a snowy Nebraska interstate highway.

Won a jury defense verdict for a Colorado bariatric surgeon in Denver District Court.

Helped secure a landmark victory from the Colorado Supreme Court as amicus counsel for the American College of Obstetricians and Gynecologists in a case involving the reliability of the intrauterine forces theory of labor as applied in shoulder dystocia matters.

Won a unanimous jury defense verdict for a cardiothoracic surgeon in a two-week medical malpractice trial involving injuries associated with an atrial fibrillation surgery.

Won a defense jury verdict for an orthopedic surgeon in a case alleging surgical negligence and seeking eight years of pretrial interest on a multi-million dollar claim.

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.

Won a Colorado Court of Appeals opinion upholding our jury defense verdict in a medical malpractice trial involving shoulder dystocia.

Won a jury defense verdict in Denver District Court for a prominent Denver heart surgeon.

Won affirmance from the Colorado Court of Appeals for four doctors in a medical tort case involving wrongful death claims relating to medical treatment provided to the plaintiff's husband before his death.

Following opening arguments, negotiated a favorable settlement of a $50 million medical malpractice lawsuit in Iowa.

Won a defense verdict in Oregon as co-counsel in a $9 million trial involving negligence claims in a birth trauma case involving shoulder dystocia.

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