

Andrew M. Unthank

Partner

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Whirlpool Win Nets
"Litigators of the
Week"



Drew Unthank represents major companies in consumer class action, complex commercial, data privacy, and product liability litigation. His passion for helping his clients tell their stories in court drives his practice, leading to lasting, collaborative client relationships. He has represented

several long-time clients, including Fortune 100 and 500 companies, and has served as lead defense counsel in dozens of consumer class actions across the country.

Credentials

Education

University of Denver Sturm College of Law, J.D., 2005, Order of St. Ives, Scholastic Excellence Award, Moot Court Appellate Team

Northern Arizona University, B.S.B.A., 2001, Marketing, Gamma Beta Phi, Mortar Board National Honor Society

CLERKSHIPS

Judicial Law Clerk to The Honorable Nathan B. Coats, Colorado Supreme Court

GOVERNMENT SERVICE

Intern to the Honorable John N. McMullen, Denver District Court

RECOGNITION

Benchmark Litigation

Litigation Star, 2023-2026

40 & Under National Star, 2019

40 & Under Hotlist, 2018

The Best Lawyers in America

Mass Tort Litigation/Class Actions - Defendants, 2021-2027

Colorado Super Lawyers

Class Actions/Mass Torts Defense, 2021-2026

Colorado Rising Stars

Class Actions/Mass Torts, 2014-2019

Business Litigation, 2011-2013

Martindale-Hubbell AV® Peer Review Rated

LEGAL MEMBERSHIPS

American Bar Association

Colorado Bar Association

Denver Bar Association

Colorado Civil Justice League

Member of the Legal Advisory Board

Legal Aid Foundation

Associates' Campaign Fundraising Chair 2011-2012 (set fundraising record both years)

BAR AND ADMISSIONS

Colorado

U.S. Court of Appeals, 9th Circuit

U.S. District Court, D. Colorado

U.S. District Court, E.D. Michigan

COMMUNITY ACTIVITY

Open Media Foundation

Board of Directors

Development Committee

ARTICLES AND PRESENTATIONS

Panelist, "New Tools of Advocacy," Association of Home Appliance Manufacturers Annual Conference

Presenter, "Battle of the Experts," MAGNA Legal Services

Panelist, "Death by Treadmill," Sports & Entertainment Risk Management Alliance

Presenter, "Managing Marketing Risks in a New Era of Consumer Class Action Attacks," Whirlpool Legal and Marketing Teams

Moderator, "Make it Your Exhibit A, not Theirs: Documentation Strategies for Success at Trial," 2020 DRI Products Liability Conference

Practices

Catastrophic Injury

Class Actions
Commercial Litigation
Franchise
Product Liability

Cases

Won on behalf of a home appliance trade association in a complex federal constitutional case challenging state legislation on First Amendment grounds.

Won dismissal for Whirlpool in industry-wide consumer class action litigation alleging tens of millions of gas cooking products emit harmful pollutants in homes.

Won full dismissal with prejudice for Whirlpool of a consumer class action brought by five plaintiffs from five states representing seven putative classes in the lead case among an industry-wide series of copycat actions alleging cooktop knobs are prone to unintended activation.

Won a favorable jury verdict in a \$350 million personal injury trial for a motorcyclist accused of negligence causing his passenger's catastrophic injuries. Our defense compelled the jury to find our client just 5% liable and assign 95% of liability to another party.

Represented a 100-year-old precious metals refiner against a Newmont Corporation subsidiary's allegations of civil theft, claiming our client stole millions in gold and other precious metals. Obtained significant monetary recovery and public withdrawal of all civil theft allegations and dismissal of all claims with prejudice.

Successfully represented a major telecommunications company in an MDL involving 18 underlying consumer, securities, and derivative class actions, together with over 20,000 mass arbitration claims that challenged the company's marketing and sales practices.

Represented a medical device manufacturer in wrongful death and personal injury claims brought by the survivors and estates of a triple-fatality apartment fire, and negotiated a nuisance-value settlement following deposition of plaintiffs' fire cause and origin expert.

Defeated class certification amid allegations that two million Whirlpool-made ovens were prone to overheat. Disqualified the plaintiffs' expert witness and successfully argued that the claims were overly broad and the plaintiffs' purported theories for failure were too many to achieve certification.
