

Anthony C. Barbe

Partner

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☎ 303.244.1813



Anthony Barbe defends lawyers and law firms in high-stakes legal malpractice and professional liability matters nationwide. He represents clients across a range of practice areas, drawing on a deep understanding of the substantive legal issues and ethics rules that frequently give rise to malpractice claims. He also regularly represents lawyers in connection with ethics counseling, disciplinary matters, and non-party discovery disputes.

Anthony also has broad experience in complex commercial litigation and significant trial experience defending insurance companies against claims for bad faith and statutory damages. Across his practice, he has tried multiple cases to verdict in both state and federal court.

Credentials

Education

University of Denver Sturm College of Law, J.D., 2010, Order of St. Ives, *Denver University Law Review*, Managing Editor

University of Colorado, B.A., 2004

CLERKSHIPS

Law Clerk to The Honorable Ann B. Frick, Denver District Court

RECOGNITION

The Best Lawyers in America

Commercial Litigation, 2022-2027

Legal Malpractice Law - Defendants, 2022-2027

Product Liability Litigation - Defendants, 2022-2027

Professional Malpractice Law - Defendants, 2026-2027

Colorado Super Lawyers

Professional Liability, Defense, 2024-2026

Rising Stars - Civil Litigation Defense, 2017-2021

LEGAL MEMBERSHIPS

Faculty of Federal Advocates

Colorado Defense Lawyers Association

Denver Bar Association

Colorado Bar Association

American Bar Association

BAR AND ADMISSIONS

Colorado

Montana

U.S. Court of Appeals, 10th Circuit

U.S. District Court, D. Colorado

U.S. District Court, D. Montana

COMMUNITY ACTIVITY

University of Denver, Professional Mentoring Program

ARTICLES AND PRESENTATIONS

Presenter, "'Poutine' Together a Legal Malpractice Defense Checklist,"
ABA Fall 2024 National Legal Malpractice Conference.

Presenter, "Practical Judicial Ethics Dilemmas, the Lawyer's Perspective," The Biennial Judicial Ethics Training for Administrative Law Judges.

Presenter, "Pretrial Discovery and Depositions," Colorado Bar Association CLE.

Presenter, "Franchising Drafting Tips from Franchise Litigators," The Colorado Bar Association, Franchise Law Subsection.

Practices

Commercial Litigation

Legal Professional Liability

Product Liability

Cases

PROFESSIONAL LIABILITY

Defended lawyers in dozens of cases involving a wide variety of legal issues including franchise law, mergers and acquisitions, and IP litigation.

Won a complete defense verdict for a lawyer and law firm accused of legal malpractice in the handling of a sale of interests in the plaintiff's company.

Won summary judgment for a large regional law firm in a legal malpractice case involving claims that the firm's lawyers failed to properly advise the plaintiff regarding environmental issues in an underlying real estate transaction.

Represented a law firm client against allegations of ethical violations and breach of fiduciary duty in a legal malpractice case stemming from the firm's representation of a client in matters that later developed into a fierce family dispute. The case ultimately settled favorably for our client just a few weeks before trial.

Represented a law firm client in three civil cases arising from an investigation into land use issues. The cases involved dozens of parties and tens of millions of dollars in claimed damages.

COMMERCIAL LITIGATION

Won a hearing for the majority owners of an ethanol production company to defeat a preliminary injunction attempt and completely unwind an ex parte ruling that the company's minority owners obtained to install a receiver to displace our clients from running the company.

Won a defense verdict for a national carrier in a bad faith jury trial in which the plaintiff claimed the insurer must pay for a special run of bricks in order to fully repair the plaintiff's home. A 12-member jury unanimously rejected the plaintiff's claims, agreeing that our client had acted in good faith. We also won the Tenth Circuit appeal.

Won a defense verdict for a national carrier against a claim of negligent misrepresentation after a contentious appeal. After prevailing on eight claims on summary judgment, one claim was remanded for trial after an appeal. Our client won on the final claim after a six-day jury trial in Boulder County.

Won a motion to dismiss and a subsequent award of attorneys' fees and costs for a large nationwide insurer involved in a dispute over coverage amounts for a home lost in the 2012 Waldo Canyon wildfire.

Successfully defended an insurer in an insurance bad faith and breach of contract trial arising out of the devastating Waldo Canyon wildfire of 2012. The plaintiff voluntarily dismissed one claim the morning of trial, lost another claim, and was awarded just five figures on the third claim after having demanded more than \$1 million.

Represented a professor at a large SEC university against allegations of tortious interference with a contract related to a technology licensing agreement. After aggressive briefing and negotiation, we obtained a voluntary dismissal for the client with no money paid to the plaintiff.

Obtained voluntary dismissal with no money paid for a leading nationwide insurer in a bad faith case involving MedPay coverage. The plaintiff withdrew the complaint even before we filed our answer.

Managed litigation for a leading nationwide insurer in bad faith cases related to MedPay coverage in 12 states (Alaska, Colorado, Connecticut, Delaware, Georgia, Montana, New Hampshire, North Carolina, South Carolina, Virginia, West Virginia, Wisconsin) and Washington, D.C.

Won declaratory judgment and recovered fees and costs in a case for a large nationwide insurer involved in a dispute over life insurance proceeds.

Developed prelitigation expert reports for an international manufacturer of home appliance components, which in many instances resulted in plaintiffs withdrawing their demands before filing a complaint.

Worked with a trial team on a three-week jury trial, which resulted in a full defense verdict for a leading nationwide insurer. The case involved bad faith allegations related to a homeowners' insurance policy.
