

Won on an issue of first impression before the Colorado Court of Appeals for an insurance company. The published opinion states that administrative determinations in workers' compensation proceedings do not have preclusive effect in subsequent bad faith cases, protects the efficiency of administrative proceedings, and preserves employers' ability to present complete defenses at trial.

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WTO attorneys won a published opinion in an important case before the Colorado Court of Appeals that establishes vital precedent for insurers. At issue was whether findings by Colorado administrative agencies can restrict a defendant's ability to defend against a later tort lawsuit.

An employee sued his worker's compensation insurer for bad faith after being awarded benefits at an administrative hearing. In the bad faith trial, the plaintiff asserted that his favorable administrative ruling limited the insurer's defenses. The insurer prevailed, and the plaintiff appealed. The published Court of Appeals ruling answered a crucial, novel legal question in Colorado, holding that because insurers do not receive a "full and fair opportunity to vigorously litigate"

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their defenses in the administrative setting, they cannot be precluded from defending themselves from bad-faith lawsuits.

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