

William P. Sowers, Jr.

Counsel

✉ SOWERS@WTOTRIAL.COM

☎ 303.244.1941



Named to The
American Lawyer's
"Litigators of the
Week"

Will Sowers focuses his practice on complex litigation and appeals in state and federal courts, including before the U.S. Supreme Court and the Third, Fourth, Ninth, Tenth, and Eleventh Circuit Courts of Appeals. He has acted as appellate monitoring counsel at trial and has significant experience advising clients on properly preserving issues throughout litigation, including during post-trial briefing. In trial courts, Will often leads the drafting of critical motions in complex matters. Will has also served as a Lecturing Fellow at Duke University School of Law since 2026.

Credentials

Education

Duke University School of Law, J.D., *magna cum laude*, 2019; *Law & Contemporary Problems*, Editor-in-Chief; Jason S. Bidlake Legal Writing Award

James Madison University, B.B.A., *cum laude*, 2011

CLERKSHIPS

Law Clerk to The Honorable Ed Carnes, United States Court of Appeals for the Eleventh Circuit

RECOGNITION

The Best Lawyers in America

Ones to Watch - Appellate Practice, 2024-2027

Ones to Watch - Commercial Litigation, 2024-2027

Ones to Watch - Insurance Law, 2024-2027

BAR AND ADMISSIONS

Colorado

Virginia

U.S. Supreme Court

U.S. Court of Appeals, 10th Circuit

U.S. Court of Appeals, 11th Circuit

U.S. Court of Appeals, 3rd Circuit

U.S. Court of Appeals, 4th Circuit

U.S. Court of Appeals, 9th Circuit

U.S. District Court, D. Colorado

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

ARTICLES AND PRESENTATIONS

Co-Author, "Running out the Clock: The Period of Limitation in COVID-19 Insurance Lawsuits May Soon Come to an End," Insurance Coverage Law Center.

"Men, Take Paternity Leave to Embrace Fatherhood," Richmond Times-Dispatch.

Co-Author, "A New Test or Merely a New Name for Some Regulatory Takings?," Yale Journal on Regulation.

How Do You Solve a Problem Like Law-Disruptive Technology?, 82 Law & Contemporary Problems 193-214.

Practices

Appellate

Commercial Litigation

Employment/Class Actions

Cases

APPELLATE

Served as appellate counsel for an insurer facing one of the largest bad faith jury verdicts in the country for a single plaintiff.

Briefed and argued an appeal addressing a multi-million dollar negligent supervision claim before the Utah Court of Appeals.

Won an appeal reversing a multimillion dollar judgment against our client, X Corp., and reviving affirmative claims in a real estate dispute with a former landlord.

Acted as lead appellate counsel in a Tenth Circuit appeal, successfully defending an employee of the United States Government against a Bivens claim.

Advised multiple municipal clients on properly preserving all potential appellate arguments in post-judgment briefing.

Served as appellate monitoring counsel for a two-week federal trial.

Won a defense victory on appeal in a multimillion dollar insurance and construction defect dispute, overturning an adverse jury verdict, winning judgment on the most significant portion of the claim, and receiving a complete retrial on all other issues.

Won a \$50 million Colorado Supreme Court victory for Denver International Airport, overturning adverse bench trial and lower appellate court opinions and creating precedent that prohibits putative plaintiffs from using delay tactics to gain an unfair advantage in litigation.

Represented a water association in a petition for certiorari to the U.S. Supreme Court.

Represented an industry trade group acting as amicus curie in appeals around the country.

Drafted appellate briefs in COVID-19 business interruption cases before the Third, Ninth, and Eleventh Circuit Courts of Appeals, as well as in state appellate courts.

Drafted an appellate brief in the Eleventh Circuit for a restaurateur whose employer liability insurance denied coverage.

Advised a client in two oral arguments related to reinsurance recovery before a federal court of appeals.

Advised a school district client on oral argument before the Fourth Circuit in a dispute about the civil procedure requirements for bringing an anonymous claim.

TRIALS & LITIGATION

Won a jury verdict for an international polo star in a commercial dispute over the cloning and breeding of world champion polo horses.

First-chaired an evidentiary hearing for a Fortune 500 company, prevailing on all issues.

Acted as lead defense counsel on a case with a nine-figure demand, successfully resolving all claims pre-trial.

Served as trial counsel in a two-week breach of contract and bad faith case in Colorado federal court.

In a construction claim, developed and executed a motion in limine strategy that effectively ended the case, resulting in a favorable settlement on the eve of trial.

In a professional negligence case, drafted and won a motion for reconsideration overturning a court's adverse summary judgment ruling.

Won a renewed motion for judgment as a matter of law following a jury trial on behalf of a ski resort operator in a negligent supervision case, resulting in a significant reduction of the verdict.

Briefed, argued, and won a motion to dismiss for personal jurisdiction representing an international machinery manufacturer in a products liability case.

Advised on business interruption losses and other COVID-19 insurance recovery claims ranging from \$50 million to \$600 million.

Won a motion for judgment on the pleadings, and two motions for reconsideration, in a \$5 million insurance dispute over coverage for a tractor-trailer accident.

PRO BONO

Drafted an amicus brief in the District of Columbia Court of Appeals for a nonprofit in support of policyholders who were wrongfully denied insurance coverage.

Drafted an amicus brief in the Fourth Circuit for psychologists and psychiatrists arguing that the competency evaluation performed in a death penalty case was not medically sufficient.

Obtained a settlement of 1% of an insurer's initial demand on a subrogation claim for a military service member.
