



## **MICHAEL J. HOFMANN**

**Partner**  
**Denver**

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### **BIOGRAPHY**

Michael Hofmann is a partner in the Denver office and a member of the firm's Complex Commercial Litigation practice group. With significant trial and appellate experience, Mr. Hofmann brings clarity to obscure and rigorous topics. In complicated situations, he ensures that focus is maintained and key client objectives are primary.

With a practice centering on complex commercial and white collar litigation, most recently involving antitrust, securities, intellectual property, bankruptcy, and commercial breach of contract cases, Mr. Hofmann also has extensive experience with putative class actions. He has represented clients in federal and state courts in Arkansas, California, Colorado, Florida, Illinois, Indiana, Iowa, New Jersey, New York, Nevada, and before the Fifth, Tenth, and Eleventh circuits.

## CIVIC INVOLVEMENT & HONORS

- *BTI Client Service All-Star, 2024*
- *Colorado Super Lawyers, 2012–2016*

## PROFESSIONAL AFFILIATIONS

- HEPC Connection, 2007–2013
- Colorado Judicial Institute, 2009–2013
- Faculty of Federal Advocates, 2000–present
- Colorado Lawyers' Committee, Board Representative, 2007–2009

## CLERKSHIPS

Clerkship, Honorable Michael J. Melloy, U.S. District Court for the Northern District of Iowa, 1996-1998

## ADMISSIONS

- Colorado, 1998
- United States Courts of Appeals for the Fifth, Eighth and Tenth Circuits  
United States District Courts for the District of Colorado, Eastern and Western Districts of Arkansas, and Northern District of Iowa

## EDUCATION

Yale University, J.D., 1996

Cornell College, B.S.S, *summa cum laude*, 1993

## RELATED PRACTICE AREAS

- Business & Commercial Disputes
- Campus Free Expression
- Health & Safety
- Regulation, Compliance & Advisory
- Investigations

- Litigation & Dispute Resolution
- Higher Education Team
- Data Center & Digital Infrastructure Team
- Appellate
- False Claims Act
- Securities Litigation and Enforcement

## EXPERIENCE

- *C5 Medical Werks, LLC v. CeramTec GmbH*, 2017 WL 56073, 2014-cv-00643-RBJ (D. Colo. January 5, 2017) (trial representation of client in trademark dispute; judgment in client's favor canceling defendant's trademark registrations and enjoining defendant).
- *Auraria Student Housing at the Regency, LLC v. Campus Village Apartments, LLC*, – F.3d –, 2016 WL 7260600 (10<sup>th</sup> Cir. 2016) (overruling prior circuit precedent and vacating adverse multi-million dollar judgment).
- In *United States v. Xcel Energy, Inc.*, Mr. Hofmann second-chaired the successful criminal defense of a Fortune 500 utility company and its subsidiary. After a 4-week trial, the jury found the companies not guilty on all counts.
- In *Snyder v. Vail Resorts, Inc.*, Mr. Hofmann defended Vail Resorts, Inc. against a multi-million dollar breach-of-contract claim in a two-week jury trial in Summit County, Colorado. The plaintiffs dismissed their claims with prejudice, and agreed to an order barring their prior conduct, while the jury was deliberating and after the jury asked whether Vail could recover damages from the plaintiffs.
- In *Concord Computing Corporation. v. Financial Consulting & Trading International, Inc.*, Mr. Hofmann obtained a \$16 million dollar federal court jury verdict for his client. The client had been sued as a defendant, and had counterclaimed. The jury rejected all claims against Mr. Hofmann's client and awarded \$16 million on the counterclaim.
- *BNSF Railway Co. v. Alstom Trans. Inc.*, 777 F. 3d 785 (5<sup>th</sup> Cir. 2015) (vacating adverse judgment and remanding for entry of judgment for client).
- *United States v. Chemical & Metal Indus., Inc.*, 677 F. 3d 750 (5<sup>th</sup> Cir. 2012) (reducing criminal restitution order against client from \$3,000,000 to \$500,000)
- *Williams v. Crop Production Servs., Inc.*, 361 P. 3d 1075 (Colo. Ct. App. 2015) (affirming judgment for client)

- *DerKevorkian v. Lionbridge Tech., Inc.*, 316 Fed. App'x 727 (10<sup>th</sup> Cir. 2008) (vacating damages award against client and remanding for new trial)
- *Donchez v. Coors Brewing Co.*, 392 F.3d 1211 (10th Cir. 2004) (affirming judgment in favor of client in trademark, right of publicity, and intellectual property case)
- *In re Qwest Communications Int'l, Inc. Securities and ERISA Lit.*, 2005 U.S. Dist. LEXIS 25951 (J.P.M.L. 2005) (Judicial Panel on Multidistrict Litigation order denying creation of multi-district litigation proceeding in securities matter)
- *Szaloczi v. John R. Behrmann Revocable Trust*, 90 P.3d 835 (Colo. 2004) (reversing court of appeals and dismissing complaint against clients in shareholders' rights action)
- *In re Qwest Comm. Int'l, Inc. Sec. Litig.*, 241 F. Supp.2d 1119 (D. Colo. 2002) (denying temporary restraining order sought against client)
- *Sowell v. Alumina Ceramics, Inc.*, 251 F.3d 678 (8th Cir. 2001) (affirming summary judgment for client in employment case)

## RELATED INSIGHTS

News

Jun 07, 2024

**BCLP Partner Michael Hofmann recognized as a BTI Client Service All-Star**

Awards

Aug 17, 2023

**The Best Lawyers in America® 2024**

Awards

Aug 18, 2022

**The Best Lawyers in America® 2023**