

# JIM CHALAT

JAMES H. "JIM" CHALAT  
CHALAT HATTEN & BANKER PC  
1600 BROADWAY, SUITE 1920  
DENVER, CO 80202  
303.861.1042  
800.221.5526  
FAX 303.861.0506  
CELL: 303.882.4781  
JCHALAT@CHALATLAW.COM  
[HTTP://WWW.CHALATLAW.COM](http://www.chalatlaws.com)

## **PROFILE**

Senior Trial Attorney at the firm. Lead the firm's personal injury and wrongful death practice. Lead the firm's *pro bono* work. Supervise and collaborate with partners, associates, co-counsel and staff in case management, preparation, trial and settlement. Assist in the firm's management and public relations.

Admitted to active practice before: Colorado State and Federal Courts (1977) Michigan State Courts (by examination - 1983) the United States Court of Appeals for the 10<sup>th</sup> Circuit (1981) 8<sup>th</sup> Circuit (2014) and the United States Supreme Court (1981). Admitted *pro haec vice*: California, New York, Utah, and Virginia state courts; United States District Courts of Kansas, Nebraska, Utah, West Virginia, Wyoming.

Practice Areas: Car, Truck, Pedestrian & Bicycle Accidents; Professional Negligence, Medical Malpractice, Legal Malpractice; Wrongful Death; Catastrophic Injury, Traumatic Brain Injury, Spinal Cord Injury, Severe Orthopedic Injury; Skiing and Ski Lift Accidents; Recreational Accident Cases.

## **PERSONAL**

Born 9 April 1953 Livermore, CA. Married to Linda J. Chalut, attorney at law, with four adult children. Residence: Evergreen, Colorado.

## **EXPERIENCE**

Private practice based in Denver, Colorado, since 1977 in small firm settings as a Name Partner/Shareholder.

## **EDUCATION**

THE UNIVERSITY OF DENVER COLLEGE OF LAW  
*J.D., May 1977, asst. editor ADMINISTRATIVE LAW REVIEW*

THE UNIVERSITY OF MICHIGAN  
*B.G.S. with distinction June 1974*

## **PROFESSIONAL RECOGNITION**

Member, American Board of Trial Advocacy (2013-present).

Listed in medical malpractice and plaintiffs' personal injury, BEST LAWYERS IN AMERICA, (2013 – present).

Tier 1, Plaintiffs' Personal Injury Litigation, U.S. NEWS AND WORLD REPORT, BEST LAW FIRMS IN AMERICA, (2017 – present).

“Lawyer of the Year,” Denver Professional Malpractice Law - Plaintiffs BEST LAWYERS IN AMERICA, (2017).

5280 MAGAZINE Top Lawyers in Denver, , plaintiffs' personal injury, 2015-2019.

BAR REGISTER OF PREEMINENT LAWYERS; Rated “A/V” by Martindale-Hubble, 1995-present.

Board Certified Civil Trial Lawyer, The National Board of Trial Advocacy (Continuously re-certified since 1988 - present).

Listed in Colorado Super Lawyers (2006 – present) Listed as Colorado Top 100 Super Lawyers (2008 – present).

The Supreme Court of the State of Colorado, *Pro Bono Achievement Award* (2014, 2015, 2016)

COLORADO LAW WEEK – Barristers’ Best Plaintiffs’ Personal Injury (2017)

COLORADO LAW WEEK – People’s Choice Plaintiffs’ Personal Injury (2018)

### **NOTABLE VERDICTS AND CASES**

\$18,502,819.00 judgment, *Mendakota Insurance v. Ruzkowski, et al., v. Savage*, Order and Judgment on Cross-claims, Clear Creek County, Colorado, Case Number: 2008CV104 (February 17, 2010).

\$10,100,000.00 jury verdict in a medical malpractice case, *Bargai v. Carlson*, Denver District Court, Colorado, Case Number: 2006CV1550 (June 18, 2007).

\$8,300,000.00 jury verdict *Grigg v. Wintergreen Partners, Inc*, Co-counsel with Bryan Slaughter & Bruce Rasmussen, CL-03-9452, Circuit Court for Albermarle County, Virginia, (July 16, 2004) *appeal dismissed, Wintergreen Partners, Inc. v. Grigg*, Supreme Court of Virginia, Record No. 042956 (July 7, 2005) (unpublished).

\$1.4 Million jury verdict in a medical malpractice case, *Nguyen v. Stecher*, 01 CV 2541 Arapahoe County District Court, CO (June 27, 2002).

\$6,170,563.00 jury verdict, *Hoar v. Great Eastern Resort Management Inc., T/A Massanutten Ski Resort*, Co-counsel with Bruce Rasmussen and Pat Regan, Circuit Court for Albermarle County, Virginia, (June 21, 1997) 506 S.E. 2d. 777 (Va. 1998).

\$2.4 Million jury verdict, reversed and remanded, *Ulissey v. Shvartsman*, 61 F.3rd 805 (10th Circ. 1995) settled and paid before retrial.

*Luz Maria Madrigal v. City of Greeley*, 2016CV30315, Weld County District Court (Jan. 5, 2017) *App. Dismissed*, 2017CA122 (Colorado Court of Appeals Jan. 26, 2017) \$350,000 (full payment of maximum capped damages in CGIA case)

*Lopez v. Trujillo*, 2016 COA 53, 2016 WL 1385610, \_\_\_P.3d\_\_\_ (April 7, 2016) *cert. granted*, 16SC388, 2016 WL 5723909 (Colo. Oct. 3, 2016).

*Baumann v. Zhukov*, 802 F.3d 950, 955 (8th Cir. 2015)

*Ryan v. City of Steamboat Springs*, 13CA0238, 2014 WL 1093189, NOT PUBLISHED PURSUANT TO C.A.R. 35(F) (March 20, 2014).

*Amicus curiae*, for the prevailing party (plaintiff) *Cooper v. Aspen*, 48 P.3d 1229 (Colo. 2002)

*Amicus curiae* for the prevailing party (prosecution) *People v. Hall*, 999 P.2d 207 (Colo. 2000).

Attorney discipline, Respondent suspended, *People v. Watson*, 833 P. 2d 50 (Colo. 1992).

Non-settling defendant's damages, *Wong v. Sharp*, 734 F. Supp. 943 (D. Colo. 1990).

Representation of blind vendors, *Hudson v. Boxer*, 632 F. Supp. 1569 (D. Colo. 1986).

## **PUBLICATIONS**

with Linda J. Chalath & Daniel Snare, *Ski Law Trends:2016* 14 LAW WEEK COLORADO 10 (March 7, 2016)

James H. Chalath with Eric Samler and Christopher P. Koupal, *Ski Law in Colorado: The Timorous No Longer Stay at Home*, 31 THE COLORADO LAWYER 211 (February, 2002).

with Linda J. Chalath, *Restitution in Criminal Actions: Considerations for Civil Trial Lawyers*, TRIAL TALK, Oct./Nov. 2001 at 40 - 41 (Colorado Trial Lawyers Assn.).

with Linda J. Chalath *The Nine Commandments of Malpractice Prevention*" 22 TRIAL LAWYER 183-198 (1999)

with Linda J. Chalath, *Ski Law for Beginners, Intermediates, and Experts*. TRIAL MAGAZINE, Aug. 2001 at 26 (Journal of the Association of Trial Lawyers of America).

*Liability of Skier for Injury to Another Skier* 46 PROOF OF FACT 1 (West's 1998).

*Liability of Ski Area Operator for Skiing Accident*, 45 PROOF OF FACT 115 (West's 1998).

*Colorado Ski Law*, 27 THE COLORADO LAWYER , No. 2, at 5-18 (February 1998).

§331 Jury-Function, CLOSING ARGUMENT, THE ART AND THE LAW, (Jacob A. Stein, ed.) (Clark Boardman Calahan, 1995).

*The Constitutional foundations of Modern American Tort Law*, 16 THE COLORADO LAWYER 970 (September 1987).

with Lea Kroll, *The Development of the Standard of Care in Colorado Ski Cases*, 15 THE COLORADO LAWYER 373 (March 1986).

*Ski Collision and Ski Equipment Cases*, 34 TRIAL TALK 303 (October 1985).

with Feurhelm, et al., *From Wright to Sunday and Beyond*, 4 THE UTAH LAW REVIEW 885 (1985).

*Michigan's Ski Law*, 63 THE MICHIGAN BAR JOURNAL 355 (May 1984).

*Continuing Changes in Colorado's Ski Law*, 13 THE COLORADO LAWYER 407 (March 1984).

*Colorado Ski Act Update*, 10 THE COLORADO LAWYER 1611 (July 1981).

*Ski Tips for Attorneys*, 9 THE COLORADO LAWYER 452 (March 1980).

## **WEB BASED CONTENT**

www.chalatlaw.com

## **PRESENTATIONS**

1. *Electronically Stored Information & Evidence*, Colorado Bar Association Continuing Legal Education, speaker and panel moderator, Denver, CO (July 14, 2016) .
2. *Seeing beyond the frivolous...* Harvard Law School, Prof. Jon Hanson, L1, (October 18, 2010)  
<http://blogs.law.harvard.edu/admissions/2010/10/27/seeing-beyond-the-frivolous/>[12/1/2010 9:12:53 PM]
3. *Trial Advocacy/Moot Court*, Faculty of Federal Advocates, 2016 Trial Advocacy Program, United States District Court for the District of Colorado, Denver, CO (March 4, 2016).

4. *Recent Developments regarding the Colorado Governmental Immunity Act*, Colorado Trial Lawyers, CTLA Annual Convention, Snowmass, CO (August 3, 2013).
5. *Purpose, Planning, Preparation, Exhibits and Applicable FRE, in Direct Examination*, Faculty of Federal Advocates, Roundtable Discussion, Denver CO (October 24, 2009).
6. *Orientation for the United States District Court of Colorado*, Faculty of Federal Advocates, United States District Court for the District of Colorado, Denver, CO (June 12, 2009; August 6, 2010).
7. *Ethics of Lawyer Internet Advertising* (with Linda J. Chalath) Colorado Bar Association Continuing Legal Education, Denver, CO (December 14, 2009).
8. *Law School to Law Practice: Where's the Relevancy?* (with Linda J. Chalath) University of Denver, Sturm College of Law, Denver, CO (February 16, 2009).
9. *Civil Law Practice, Jury Trials and Damage Awards in the United States*; Udine Bar Assn., Italy Tarvisio/Udine, Italy, (February 24, 2008).
10. *Ski Accident Liability in the United States*, Udine Bar Assn., Italy Tarvisio/Udine, Italy, (February 24, 2008).
11. *How to Try a Medical Malpractice Case in Colorado*, Colorado Bar Association Continuing Legal Education, Denver, CO (April 1, 2004).
12. *Civil Litigation Update*, Colorado Bar Association Continuing Legal Education, Denver, CO (September 19, 2003).
13. *Ski Law in the United States*, LEI/CBA CLE Snowmass, CO (January 7, 2005).
14. *Preventing Legal Malpractice*, Colorado Bar Association Continuing Legal Education & Seabury and Smith, Denver, CO (January 5, 2001).
15. *American Tort Law, Orientation for European Lawyers; Avalanche Liability Law & Ski Law in the United States, A Practical Guideline to Ski Accident litigation for non-U.S. Attorneys*, SKILEX 2004, Obergurgl/Sölden Austria (March 21, 2004).

16. *Nine Commandments of Malpractice Prevention*, Annual Ethics Conference, Colorado Bar Association Continuing Legal Education, Denver, CO (December 7, 2001).
17. *Persuasive Evidence in a Recreational Accident Case*, American Trial Lawyers of America, Accredited: Newport Beach, CA (February 21, 1986).
18. *Ski Law*, Accredited by the Colorado Supreme Court Board of Continuing Legal Education and presented to the bar associations for: Arapahoe County, Boulder County, Denver County, Pitkin County, Routt County, Weld County, Southwest Colorado, Ninth Judicial District, Fourteenth Judicial District, Texas Trial Lawyers and Dartmouth College Bar Associations (1989 – 1995).
19. For the Thompson G. Marsh American Inn of Court, numerous one-hour accredited CLE's including: The 2015 Modifications to the Colo. R. Civ. Pro; Civil Rights, *Loving v. Virginia*, 388 U.S. 1 (1967); Contempt of Court: *United States v. Shipp*, 203 U.S. 563 (1906); *Jones v. Clinton*, 520 U.S. 681 (1997). Pupillage group leaders: The Hon. Nathan B. Coats, Colorado Supreme Court; the Hon. Sandra I. Rothenberg, Colorado Court of Appeals; Hon. Donna Schmalberger, Chief Judge, Denver Juvenile Judge; The Hon. Alfred P. Harrell, Denver County Court.
20. Adjunct Professor - University of Denver College of Law 1978-80, 1985-87.

### **PROFESSIONAL ASSOCIATIONS**

Faculty of Federal Advocates, Member (2000 – present) Board of Directors (2009-2013) Treasurer (2012-2013) Committee to Establish the Pilot Program to Implement a Civil *Pro Bono* Panel.

Master of the Bench, American Inns of Court, Thompson G. Marsh American Inn of Court, 1994-2016, Various leadership positions. President, 2004 - 2005; Alfred C. Harrell Award, in recognition of professionalism, service and excellence 1999 - 2000.

Member, Colorado Trial Lawyers Association, Board of Directors 2000 - 2004.

Member, American Association of Justice (1980 - present).

Member, American, Colorado, Denver, Michigan Bar, and Michigan Trial Lawyers Associations. Denver Bar Association, Thursday Night Bar Volunteer, *Pro Bono* Award 1985.

Fellow, Colorado Bar Foundation.

National Institute of Trial Advocacy, Instructor & Diplomate.

Denver Bar Association, Legal Nights at El Centro, 2012-2014.

Special Assistant Disciplinary Counsel, State of Colorado, Supreme Court Disciplinary Counsel (1992).

### **COMMUNITY SERVICE**

1. First Judicial Nominating commission, 2002 - 2007, appointed by Mary Mullarkey, C.J., Colorado Supreme Court.
2. Colorado Bar Association, High School Mock Trial Attorney Coach. Lakewood HS, 2005 & 2006; Evergreen HS 2007 & 2008. Regional winners, 2005, 2007, 2008. State Champion, 2007, 10th at Nationals.
3. Colorado Ballet, Board of Trustees (1995- 1996). Fund-raising.
4. Soda Creek Property Owners Assn., Director (1991-95). Participation in community traffic safety planning for major re-design of nearby highway intersection, enforcing covenants, and participating in community wide open space and supplemental water rights acquisition.
5. Trustee, Congregation Beth Evergreen, Evergreen, CO, 1993 - 2001. Worked cooperatively to fund and purchase land, plan, permit, construct and staff first Synagogue in Jefferson County, Colorado.
6. Jefferson County Juvenile Review Board, Member (1992-1994).
7. Judge - Regional Finals, National Student Trial Advocacy Competition, ATLA 1986, 1987, 1990, Presiding Judge 1992, 1993, 1994.
8. Boy Scouts of America, volunteer in various leadership positions.
9. Jeffco & Mountain Area Midget Football Assoc., Advisory board, team manager, Board of Directors (2001 - 2009).



## **PRESS AND MEDIA APPEARANCES**

1. National Television: Evening News with Dan Rather, CBS; The Today Show, NBC; World News Tonight, BBC; panelist w/ moderator Chris Matthews, MSNBC.
2. Local Television: with Professor Jan Laitos, segments for @Issue, 9 News; interviews for Denver's 7 and News4.
3. Radio: Colorado Public Radio (Colorado Matters, 2/24/06) National Public Radio, KOA, KHOW, BBC.
4. Print: Newsweek, The Denver Post, The Rocky Mountain News, The Guardian, The Los Angeles Times, The New York Times, The Boston Globe.