



Adam P. O'Brien, MEMBER

Adam O'Brien is an AV-Preeminent rated attorney who has been recognized annually as a Rising Star in Colorado Super Lawyers since 2013. His practice focuses on complex commercial litigation, insurance litigation, and products liability. His commercial litigation practice includes representing businesses in commercial and construction litigation. Mr. O'Brien also represents product manufacturers and suppliers in all phases of product liability litigation. Mr. O'Brien's insurance practice focuses on representation of insurance companies in coverage matters and litigation.

Memberships

IADC

Colorado Bar Association

Colorado Defense Lawyers Association

Denver Bar Association

Defense Research Institute

Faculty of Federal Advocates

Practice Areas

- [Commercial Litigation](#)
- [Complex Litigation and Trials](#)
- [Construction Law](#)
- [Aviation and Airports](#)
- [Insurance Liability and Litigation](#)
- [Products Liability and Mass Torts](#)

Education

- University of Iowa College of Law, J.D. Journal of Transnational Law and Contemporary Problems, member
- Creighton University, B.A. Philosophy.

Licensure

- Adam P. O'Brien has been admitted to the bars of Colorado and Nebraska (inactive). He is also admitted to practice before the United States District Court

Publications and Presentations

IADC Webinar, Co-Presenter: Multi-Party Mediations: More Does Not Mean Merrier, September 26, 2018.

IADC Webinar, Co-Presenter: Navigating Ethical Issues on Construction Files, May 23, 2017.

Timeliness of Third Party Claims, Adam P. O'Brien, Construction Claims, Spring 2017, Volume 2, Issue 1.

The Wrinkles in the Wrap, Adam P. O'Brien, Construction Claims, Fall 2016, Volume 1, Issue 2 (analyzing and discussing controlled insurance programs (a/k/a wrap insurance) in the construction industry).

Panelist, Waiving Bye-Bye to Your Attorney-Client Privilege, Association of Corporate Counsel, Denver, Colorado, December 2, 2015.

Presenter, The Forensic Accountant's Role in Injury Claims and Economic Damages, CLM Greater Denver Chapter, May 5, 2016.

for the District of Colorado and the United States Court of Appeals for the 10th Circuit. Mr. O'Brien has also been admitted *pro hac vice* in various jurisdictions.

Professional Affiliations and Activities

- International Association of Defense Counsel (IADC)
- Colorado Bar Association
- Colorado Defense Lawyers Association
- Denver Bar Association
- Defense Research Institute
- Faculty of Federal Advocates
- IADC Trial Academy, Participant 2010

Defense Research Institute (DRI) Product Liability Case Law Update 2010 (Colorado and Tenth Circuit Court of Appeals).

Presentations to clients regarding E.S.I. and electronic discovery issues.

Representative Cases

Fidelity National Title Ins. Co. v. Woody Creek Ventures, LLC, 830 F.3d 1209, 2016 WL 3997434 (10th Cir. 2016); *Fidelity National Title Ins. Co. v. Woody Creek Ventures, LLC*, 2014 WL 1774821 (D. Colo. May 5, 2014).

Baroness Small Estates, Inc. v. Round Hill Cellars d/b/a Rutherford Wine Co., No.10-cv-01999-MSK-CBS, 2011 WL 6152969 (D. Colo. Dec. 12, 2011).

Xtreme Coil Drilling Co. v. Encana Gas, Inc. et al., No. 08-cv-02750-MSK-KMT, 2010 WL 3777303 (D. Colo. Sept. 19, 2010).

Rivelli v. Twin City Fire Ins. Co., No. 08-cv-01225-RPM, 2008 WL 5054568 (D. Colo. Nov. 21, 2008); *Rivelli v. Twin City Fire Ins. Co.*, 359 F.App'x 1 (10th Cir. 2009).

Iskowitz et al. v. Cessna Aircraft Co., No. 07-cv-00968-REB-CBS, 2009 WL 3162016 (D. Colo. Sept. 30, 2009).

Representative Experience

- Achieved defense verdict as part of trial team for product manufacturer in multi-week trial where deaths resulted from carbon monoxide poisoning.
- Achieved directed verdicts in multiple cases, including on behalf of one of the world's largest food companies.
- Achieved summary judgment and award of attorney's fees for national wine company sued by distributor after distributorship was terminated.
- Achieved summary judgment for product manufacturers in multiple cases, including a component part manufacturer of an oil drilling rig and a manufacturer of GPS devices.
- Representation of businesses in real estate and title insurance litigation; achieved summary judgment and published Tenth Circuit decision in favor of title insurance company in multi-million dollar access dispute.
- Representation of insurance companies in breach of contract, bad faith breach of contract, and Colorado Consumer Protection Act cases; achieved summary judgment for clients in multiple cases.
- Representation of developers, contractors, subcontractors, and material suppliers in construction litigation throughout Colorado.

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