



## Katherine M.L. Pratt, Member

Ms. Pratt handles trial-level litigation and civil appeals in the areas of employment law, civil rights, professional liability, and other commercial litigation. She has litigated to successful conclusion a wide variety of disputes before administrative agencies, as well as state and federal courts. Ms. Pratt's practice focuses on the defense of both private and public entities and their employees in a wide variety of areas, including employment discrimination disputes, civil rights violations pursuant to 42 U.S.C. § 1983, FLSA claims, retaliation lawsuits, unemployment benefits matters, contract based employment disputes, and trade secrets matters. Ms. Pratt has also been involved in litigating contract disputes, breach of confidentiality agreements, easement disputes, as well as construction disputes. Her appellate practice includes briefing and argument before the Tenth Circuit Court of Appeals as well as in state courts. A key focus of Ms. Pratt's litigation practice is the management of complex discovery and electronic discovery matters. In the face of an ever expanding number of cases requiring the management of large volumes of data, Ms. Pratt works with our clients to develop and implement cost-effective solutions to collecting, analyzing, preserving, and producing relevant information.

Representative cases include achieving the entry of summary judgment on an excessive force claim against a police officer, dismissal of a First Amendment retaliation claim against a municipality, entry of an injunction prohibiting a building owner from violating the ADA and FHA which was upheld on appeal, and entry of summary judgment on a disability discrimination claim in favor of an employer, which was also upheld on appeal to the Tenth Circuit.

Ms. Pratt has spoken on a variety of topics, including the impact of antitrust laws on non-compete agreements, avoiding employment claims, how to successfully orient your new employees to your business, how to conduct a proper investigation and termination of an employee, and the impact of the legalization of marijuana on Colorado employers.

### Practice Areas

- [Civil Rights and Public Entity Defense](#)
- [Complex Litigation and Trials](#)
- [Construction Law](#)
- [Insurance Liability and Litigation](#)
- [Products Liability and Mass Torts](#)

### Education

- J.D., Loyola University Chicago School of Law, 2002
- B.A., Political Science, Miami University Ohio, Magna Cum Laude, Phi Beta Kappa, 1998

### Licensure

- Illinois, 2002
- Colorado, 2005
- Wyoming, 2014
- U.S. Court of Appeals for the Tenth Circuit
- U.S. District Court, Northern District of Illinois

### Memberships

- Colorado Bar Association
- Colorado Defense Lawyers Association
- National Association of Minority & Women Owned Law Firms (NAMWOLF)
- Defense Research Institute
- Faculty of Federal Advocates

- U.S. District Court, District of Colorado
- U.S. District Court, District of Nebraska

## Publications

“Gender Pay Equity in the #MeToo Era,” *The Colorado Lawyer*, November 2018, pp. 54-59.

“Antitrust Scrutiny of Employment Restrictive Covenants,” *The Colorado Lawyer*, October 2014, Volume 43, No. 10, p. 33-36.

“Colorado Enacts Restrictions on Employer’s Use of Employee’s Private Social Media Postings,” ASAC Colorado Built, Winter 2014, p. 13-14.

## Representative Cases

*Estate of Walter v. Bd. of County Commissioners of Fremont County, et al.*  
– In a case alleging failure to provide constitutionally adequate medical care to a pre-trial detainee in the County jail, achieved a defense verdict in favor of the County and the Sheriff.

*Blair v. Osborne*, 777 Fed. Appx. 926 (10th Cir. 2019) (unpublished) – Dismissal of prisoner complaint against former prosecutor seeking a reduced sentence was affirmed by the Tenth Circuit Court of Appeals.

*Carlson v. Town of Mountain Village, et al.*, 2019 U.S. Dist. LEXIS 48617 (D. Colo. March 25, 2019) – Successfully moved to dismiss a case alleging violations of the Racketeer Influenced and Corrupt Organizations Act (“RICO”), the Colorado Organized Crime Control Act (“COCCA”), and federal civil rights claims.

*Noflin v. Two Rivers Drug Enforcement Team*, 2019 U.S. Dist. LEXIS 38070 (D. Colo. 2019) – The Court granted the defendant’s motion to dismiss the plaintiff’s claims because they had already been litigated in a prior action and were therefore barred by the doctrine of res judicata.

*Estate of Vallina v. Cty. of Teller Sheriff’s Office, et al.*, 747 Fed. Appx. 643 (10th Cir. 2018) – Summary judgment affirmed in case involving alleged deliberate indifference to a serious medical condition after Mr. Vallina committed suicide in the jail.

*Holdridge v. Blank*, 255 F. Supp. 3d 1088 (D. Colo. 2017) – Summary judgment granted to officer on claim he was unlawfully seized because officer was reasonably justified in seizing the plaintiff to ensure he could carry out his community caretaking role of checking on another pedestrian.

*Story v. City of Fruita*, 2016 U.S. Dist. LEXIS 31659 (D. Colo. 2016) – Affirming recommendation to dismiss Fourth Amendment and municipal liability claims.

*Nixon v. City & Cnty. of Denver*, 784 F.3d 1364 (10th Cir. 2015) – Dismissal of a former police officer’s First Amendment and Due Process claims was affirmed.

*Pippin v. Elbert County*, 604 Fed. Appx. 636 (10th Cir. 2015) – Summary judgment in favor of the County Commissioners was upheld on appeal because they had a reasonable basis for seeking a protective order.

*Johnson v. Weld County*, 594 F.3d 1202 (10th Cir. 2010) – A female accounting employee failed to rebut the County’s evidence that the male candidate it hired as fiscal officer had superior qualifications and employee was not disabled under the ADA at the time of the promotion decision. Accordingly, summary judgment in favor of the County was upheld.

*Ramey v. Boulder County*, 2011 U.S. Dist. LEXIS 151428 (D. Colo. 2011) – Dismissal of claims for duress and willful and wanton conduct was appropriate when the same claims had been previously raised and rejected in a prior state case.