

BENJAMIN, BAIN HOWARD & COHEN | LLC

Wesley B. Howard

303.290.6600
whoward@bbhlegal.com

Wes Howard was born and raised in Omaha, Nebraska. The first member of his family to earn a college degree, he was awarded a prestigious Stephen F. Tyng Fellowship at Williams College. The Fellowship paid for not only his four year college degree, but also his law degree from the University of Denver College of Law.

From 1980 to 1982 Wes served as law clerk to the Honorable Jean S. Breitenstein, Senior Judge of the United States Court of Appeals for the Tenth Circuit. In 1983, Wes was awarded a grant under the US-Spain Friendship Treaty to study water law in Madrid.

Wes has been on the Colorado Super Lawyers® list since 2009 for business litigation, general litigation and business/corporate law.

Wes is an active member of the Denver, Colorado, and American Bar Associations, as well as several civic organizations including the Williams College Alumni Association of Colorado, of which he has served as President. He is a Colorado Bar Fellow. In the fall of 2010, he began serving a two year term as a Denver Bar Association representative on the Colorado Bar Association Board of Governors.

The parents of two children, Wes and his wife, Patricia, have been actively involved as volunteers with the Denver Public Schools and in the Washington Park neighborhood of Denver. Wes served as the first President of the Denver Soccer Club, a non-profit corporation serving Denver youth. He continues to be active in soccer as a player and coach. He also bicycles frequently and enjoys hiking and camping.

Practice Areas

- ◆ **Insurance Bad Faith**
- ◆ **Commercial and Business Law**
- ◆ **Real Estate Litigation**
- ◆ **Securities Industry Arbitrations**
- ◆ **Employment Law**
- ◆ **Probate Litigation**

Representative Matters

- ◆ Successfully prosecuted a bad faith case in federal court against a major insurance carrier, resulting in a settlement of almost \$2 million.
- ◆ Defended in litigation a gas station owner and operator regarding a leaking underground fuel storage tank.
- ◆ Defended a major resort development dealer in a commercial arbitration, resulting in a

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complete defense decree and an award of \$790,000 for his clients.

- ◇ Represented tenant in successful suit against office building owner. The settlement amount exceeded twice the value of the client's business.
- ◇ Obtained injunctions to protect misappropriation of trade secrets.
- ◇ Obtained orders removing personal representatives in contested estate and will contests.
- ◇ Sued major hospital to prevent it from wrongfully acquiring a \$2.5 million MRI facility owned by private physicians.
- ◇ Successfully handled multiple employment claims and defenses.
- ◇ Represented many lenders, borrowers and guarantors dealing with complex Uniform Commercial Code issues resulting in judgments or successful settlements.
- ◇ Represented national non-profit association in corporate disputes.
- ◇ Successfully prosecuted multiple real estate partition actions
- ◇ Obtained return of corporate client's multi-million dollar investment after ARPS securities transaction led to bonds being frozen

Bar and Court Admissions

- Colorado
- U.S. District Court for the District of Colorado

Education

- Williams College, B.A., 1969
- University of Denver College of Law, J.D., 1979