



## **MICHAEL J. HOFMANN**

**Partner**  
**Denver**

E: [michael.hofmann@bclplaw.com](mailto:michael.hofmann@bclplaw.com)

T: [+1 303 866 0257](tel:+13038660257)

### **BIOGRAPHY**

An American Lawyer "Litigator of the Week" and a 2024 BTI client service all-star, 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, Michael brings clarity to obscure and rigorous topics. In complicated situations, he ensures that focus is maintained and client objectives are primary.

With a practice centering on complex commercial and appellate litigation, most recently involving fiduciary duty, antitrust, securities, intellectual property, bankruptcy, and commercial breach of contract cases, Michael 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, Pennsylvania and before the Fifth, Ninth, Tenth, and Eleventh circuits.

## AREAS OF FOCUS

- Data Centers & Digital Infrastructure

## CIVIC INVOLVEMENT & HONORS

- *Chambers USA*, Colorado - Litigation: General Commercial, 2025
- *The Best Lawyers in America*, Commercial Litigation and Criminal Defense: White Collar, 2024
- *BTI Client Service All-Star*, 2024
- Litigator of the Week, American Lawyer, 2022
- *Colorado Super Lawyers*, 2012–2016

## PROFESSIONAL AFFILIATIONS

- Colorado Judicial Institute, 2009–2013
- Faculty of Federal Advocates, 2000–present
- Colorado Lawyers' Committee, Board Representative, 2007–2009
- Colorado Supreme Court Civil Rule Committee, 2020 - Present

## 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, Ninth, 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 CAPABILITIES

- Appellate
- Business & Commercial Disputes
- Investigations
- Litigation & Dispute Resolution
- Real Estate
- False Claims Act
- Securities Litigation and Enforcement

## EXPERIENCE

- *Leprino v. Leprino Foods Co.*, 2024 WL 4029806 (Colo. App. 2024), *cert. denied*, 2024 WL 3862495 (Colo. 2024) (affirming judgment in favor of client in billion-dollar breach of fiduciary duty and corporate dissolution case)
- *Stone v. Vail Resorts Dev. Co.*, 2024 WL 1617946 (10<sup>th</sup> Cir. 2024) (affirming judgment in commercial dispute)
- *Weimer v. Microsoft Corp.*, 2023 WL 4348096 (9th Cir. 2023) (affirming judgment for Google)
- *McAuliffe v. Vail Corp.*, 69 F.4<sup>th</sup> 1130 (10<sup>th</sup> Cir. 2023) (affirming enforceability of no-refund clause; case dismissed after remand with no further appeal)
- *Lodge Props., Inc. v. Eagle Cnty. Brd. of Equalization*, 504 P.3d 960 (Colo. 2022) (reversing court of appeals and deciding property tax issue in client's favor)
- *Holzner v. DaVita, Inc.*, 2022 WL 726929 (9<sup>th</sup> Cir. 2022) (affirming judgment in client's favor in False Claims Act case)
- *In re Kim*, 809 Fed. Appx 527 (10<sup>th</sup> Cir. 2020) (affirming judgment for client in "lost note" case)
- *Brigance v. Vail Summit Resorts, Inc.*, 883 F.3d 1243 (10<sup>th</sup> Cir. 2018) (affirming enforceability of ski pass waiver)

- *Ravenstar v. One Ski Hill Place, LLC*, 401 P.3d 552 (Colo. 2017) (affirming enforceability of liquidated damages provision)
- *Auraria Student Housing at the Regency, LLC v. Campus Village Apartments, LLC*, 843 F.3d 1225 (10<sup>th</sup> Cir. 2016) (overruling prior circuit precedent and vacating adverse judgment against client)
- *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 in client's favor)
- *Williams v. Crop Production Servs., Inc.*, 361 P.3d 1075 (Colo. App. 2015) (affirming judgment dismissing as untimely a complaint filed one day late)
- *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)
- *Derkevorkian v. Lionbridge Tech., Inc.*, 316 Fed. Appx 727 (10<sup>th</sup> Cir. 2008) (vacating damages award against client and remanding for new trial)

## RELATED INSIGHTS

News

Jun 05, 2025

**Chambers USA 2025**

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**