



CHOQUETTE & SIMONS LLP
ATTORNEYS AT LAW

Steven C. Choquette
(303) 863-8072
steve@choquettesimons.com
Page 1 of 4

PRACTICE AREAS

- Alternative Dispute Resolution (“ADR”)
- Appeals
- Business Litigation
- Intellectual Property
- Personal Injury/Wrongful Death

EXPERIENCE

Steve Choquette has over twenty years of experience as a litigator in complex and routine civil trials and appeals. He represents individuals and companies as both plaintiffs and defendants in business, insurance coverage, intellectual property protection, personal injury, and wrongful death cases. In a broad array of such matters, he has had first-chair and team-member roles in dozens of jury and court trials, appeals, and alternative dispute resolution proceedings.

He has significant experience with general commercial disputes. He has represented a wide variety of companies and individuals in contract and other matters. He represented a major computer software company in a software misappropriation case. He has represented brokerage houses in securities broker “raiding” cases. He has helped commercial landlords pursue lease default cases, and represented companies, financial institutions, and trustees in disputes concerning insurance coverage for fire-related property damage and environmental clean-ups.

He has also represented many people who have been injured, and the surviving family members of persons who have been killed, by the negligence or defective products of other people or companies. These cases have involved car and truck accidents and fatalities, disease-infected blood transfusions, slip-and-fall incidents, severe burns, and hospital and medical malpractice.

In both 2006 and 2007, Steve’s Colorado attorney peers named him a “Super Lawyer” in the field of general civil litigation. His peers have also selected him to receive martindale.com’s highest rating, “AV.” He is also general editor of one of Bradford Publishing Company’s best-selling legal treatises, *Colorado Causes of Action: Elements, Defenses, Remedies, and Forms* (2006).

Steve also has a growing practice as a mediator and provider of Alternative Dispute Resolution (“ADR”) services. In addition to advocating for his clients in litigation, Steve serves as a neutral to help individuals and businesses resolve a variety of contract and tort disputes, particularly in mediations – private and informal proceedings in which he: facilitates negotiations between parties; helps them reach solutions that spare them from the time, expense, and risk of litigation; and helps those who want or need to keep working together to preserve and restore their relationships. He brings both his two decades of experience as a trial lawyer and his special training in mediation to proactively and creatively help parties resolve disputes.



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Page 2 of 4

REPRESENTATIVE TRIALS AND LITIGATION

Steve's trial and litigation experience includes the following:

- He was a member of a trial team that represented a major computer software company in a software misappropriation case. In a two-week jury trial, he cross-examined the primary software pirate and presented his client's damages case. The jury returned a multi-million dollar verdict for his clients, which included significant punitive damages and which research indicated was then the third-highest software misappropriation award in the nation's history.
- Retained on an emergency basis by a bank after it discovered that the terminated co-trustee of a trust account had emptied the trust of roughly \$750,000, he obtained a temporary restraining order and preliminary injunction to freeze those funds, and then negotiated the return of more than 95% of them to the bank.
- He was part of a team that represented numerous children and adults infected through blood transfusions with the virus that causes AIDS. As a result of trials, appeals, and settlements in those cases, he and his colleagues helped their clients recover millions of dollars in verdicts and settlements.
- He has represented the owner of one large industrial plant and a mountain condominium complex in pursuing insurance claims following fires. In each case, the insurers agreed to tender sums adequate to fully repair the damaged property up to current building code standards without protracted litigation.
- On an emergency basis, he helped two different brokerage houses prevent departed securities brokers from using confidential client lists and trade secrets to wrongfully take clients and business to their new employers. In each of these cases, he obtained temporary restraining orders and preliminary or permanent injunctions preventing further misconduct and requiring return of the proprietary information. In one of these cases, he obtained a writ of assistance to have a sheriff accompany him to the broker's new employer's offices, to search the broker's office and files for the misappropriated information.
- He obtained significant settlements for two different people who suffered serious injuries after slipping and falling on the same dangerous outdoor stone staircase at a downtown Denver office building. Following resolution of those lawsuits, the building owner substantially limited access to the staircase in wet weather.
- Retained just 5 weeks before trial, he first-chaired a trial to the court on the damages portion of a cell tower-related adverse possession real estate case. (His client had been found liable in a prior trial in which he was not involved.) Through his efforts, the plaintiffs recovered far less in damages than they had requested, and the court denied their request for an award of their attorney fees.



- He was part of a team that represented two bank-trustees in a suit against a timber mill whose employees started a major fire while removing equipment from a closed industrial site, causing further damage to the already polluted site. A Colorado jury awarded his clients a 6-figure sum.
- He spent two months working as an exchange attorney special prosecutor for the Denver City Attorney's office, during which he tried more than 30 cases to courts and juries.

REPRESENTATIVE PUBLISHED CASES

Published appellate and trial court rulings in which Steve has been involved include the following:

- *Ronwin v. Allstate Ins. Co.*, 135 Fed. Appx. 166 (10th Cir. 2005), *cert. denied*, 546 U.S. 978 (2005).
- *Hoffman v. Brookfield Republic, Inc.*, 87 P.3d 858 (Colo. 2004).
- *Allstate Ins. Co. v. Huizar*, 52 P.3d 816 (Colo. 2002).
- *Doe v. American Nat. Red Cross*, 848 F. Supp. 1228 (S.D.W.Va. 1994).
- *Doe v. American Nat. Red Cross*, 845 F. Supp. 1152 (S.D.W.Va. 1994).
- *Doe v. American Nat. Red Cross*, 9 F.3d 1293 (7th Cir. 1993).
- *Doe v. American Nat. Red Cross*, 500 N.W.2d 264 (Wis. 1993).
- *Doe v. American Nat. Red Cross*, 151 F.R.D. 71 (S.D.W.Va. 1993).
- *Doe v. American Nat. Red Cross*, 976 F.2d 372 (7th Cir. 1992).
- *United Blood Services, a division of Blood Systems, Inc. v. Quintana*, 827 P.2d 509 (Colo. 1992).

COURT ADMISSIONS

Steve is admitted to practice before all Colorado state and federal courts. He has also been admitted to practice before federal trial courts in Wyoming, Wisconsin, Tennessee, and West Virginia, and to the Fourth, Seventh, and Tenth federal Circuit Courts of Appeals, the United States Federal Court of Claims, and the United States Supreme Court. He has also been specially admitted in state trial courts in California and Missouri.

PROFESSIONAL MEMBERSHIPS

Steve's professional memberships include the following:

- American Bar Association
-Dispute Resolution, Intellectual Property, and Torts and Insurance Practice sections.
- Colorado Bar Association
-Alternative Dispute Resolution, Intellectual Property, and Litigation sections.



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Page 4 of 4

- Denver Bar Association
- Faculty of Federal Advocates

EDUCATION

J.D., Denver University Sturm College of Law, 1986

- DENVER UNIVERSITY LAW REVIEW, technical editor and comment author.
- Winner, finalist, semi-finalist, and best oralist in numerous mock trial, moot court, and client counseling competitions.

B.A., Colgate University, *cum laude*, 1982

- Disc jockey, producer, and executive board member, WRCU-FM radio.
- Intern, U.S. Senate and U.S. Department of Justice, Washington, D.C. study group.

COMMUNITY SERVICE

Court-Annexed Mediation Program, Denver County Court: volunteer mediator (2005-present).

Curious Theatre Company (mid-sized professional theatre): president and board chair, 2005-07; vice president, 2003-05; board member, 2002-present.

Legal Aid Foundation of Colorado: trustee, 2004-present.

Metro Volunteer Lawyers: board chair, 2002-04; board member, 1994-2005.

AWARDS

Colorado Super Lawyer (General Civil Litigation), 2006 and 2007 (peer-selected).

Best of the Bar (Pro Bono), *Denver Business Journal*, 2003 (peer-selected; first recipient).

Maroon Citation, Colgate University, 2002.

Sen. Edmund S. Muskie Pro Bono Award, ABA Torts and Insurance Practice Section, 2000.

Award of Merit, Denver Bar Association, 2000.

Volunteer of the Year Award, Metro Volunteer Lawyers, 1998 (co-recipient).

Donald W. Hoagland Award, Colorado Bar Association, 1991 (co-recipient).

American Jurisprudence Award, Constitutional Law, 1984.

PUBLICATIONS AND REFERENCES

Available on Request