

**BIOGRAPHY**



**Douglas A. Thomas**

Managing Shareholder

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**PRACTICE AREAS**

Workers' Compensation  
Insurance Law  
Liability Defense  
Subrogation & Recovery  
Employment Law  
Appellate

**EXPERIENCE**

Mr. Thomas has extensive civil litigation experience. Over the past 17 years he has represented companies before federal and state courts and administrative agencies. He has litigated over 100 cases involving matters such as workers' compensation, automobile, bad faith and employment torts. He has argued more than 50 cases before the Court of Appeals and has over 20 published cases. His experience spans from the smallest landlord tenant issues in County Court to large employment tort cases in Federal Court.

In 1993, Mr. Thomas began his career with the Colorado Compensation Insurance Authority as in-house counsel, defending workers' compensation claims. In 1995, he joined Dufford & Brown, P.C., where his practice broadened to include employment law and other civil litigation. As a Shareholder of Ruegsegger Thomas, LLC, from 1999 to 2003, Mr. Thomas' practice continued to focus on workers' compensation, insurance defense and employment litigation.

Having founded Thomas Pollart & Miller LLC in 2003, Mr. Thomas continues his career-long focus on civil litigation. He manages 21 associate attorneys focusing on civil liability, employment and workers' compensation defense. The firm also practices family law under the trade name Divorce Matters. Law Week Colorado ranks Thomas Pollart & Miller LLC among the top 50 Colorado firms. Mr. Thomas has significant representative cases in tort, employment and workers' compensation.

**REPRESENTATIVE CASES**

**Non-Compete and Trade Secrets**

- *Netstructures, Inc v. McDonald*, Arapahoe District Court. Represented telecommunications client in preventing unfair competition by former employee. Instituted claims for breach of duty of loyalty, breach of contract and non-compete agreements. Negotiated settlement after preliminary injunction hearing concluded.
- *Golder Associates v. Edge Environmental Inc.*, US District Court, Colorado. Defended new environmental engineering company from multiple claims including non-compete claims of former employer. Defended claims of breach of duty of loyalty, breach of contract, civil theft,

tortious interference with contractual relations, and other claims. Negotiated settlement after summary judgment motions filed.

### **Civil Litigation**

- *Gonzales v. CCMSI, et al*, Denver District Court. (Multiple Tort and Contract Claims). Defended insurance carrier from multiple tort and contract claims including breach of contract, breach of fiduciary duty, insurance bad faith, violation of the Colorado Consumer Protection Act and Fraud. All claims dismissed by summary judgment except civil fraud where Jury rendered verdict for defense after four day trial.
- *Safeway Inc., v. Triad Services*, Denver District Court. (Breach of Contract and Indemnification Claims). Obtained partial summary judgment for retail client on indemnification claim requiring the service company to reimburse client for injury claim.
- *Moguls of Aspen v. Fagre & Benson*, 956 P.2d 618, (1997). (Professional Negligence). Represented former client in legal malpractice appeal. In this precedent setting case, the court held that in an attorney/client relationship, a fiduciary duty claim is a duplication of a legal malpractice claim.
- *American Compensation Insurance Company, Inc. v. McBride*, 107 P.3d 973, (Colo. App. 2004). (Child Support Enforcement). Defended insurance company who paid benefits to State Child Support Enforcement from claims by father that such payments were void.

### **Workers' Compensation**

- *Jiminez v. Industrial Claim Appeals Office*, 67 P.3d 965, (Colo. App. 2003). Represented insurance carrier in successful defense of civil penalty claim during appeal.
- *Bogue v. SDI Corp., Inc.*, 931 P.2d 477, (Colo. App. 1996). Represented insurance company in an appeal. Court held workers' compensation insurance carrier not responsible for handicap van for injured worker because it was not therapeutic.
- *Allison v. Industrial Claim Appeals Office*, 916 P.2d 623, (Colo. App. 1995). Represented insurance carrier in successfully defending claim for civil penalties; still remains a leading case regarding penalties.
- *Wild West Radio, Inc. v. Industrial Claim Appeals Office*, 905 P.2d 6, (Colo. App. 1995). Represented insurance company in asserting that employee who was intoxicated to point of passing out could not be within course of employment.

### **Unemployment**

- *Wafford v. Industrial Claim Appeals Office*, 907 P.2d 741, (Colo. App. 1995). Defended an insurance carrier from its former employee. In this precedent setting case, the court affirmed disqualification of this employee and held that an unemployment hearing officer has no duty to develop the record for former employee.

### **PUBLICATIONS & SPEAKING ENGAGEMENTS**

Colorado Defense Lawyers Annual Conference, 1996, 2004

Colorado Bar Association Workers' Compensation Conferences, 1997, 2003, 2005, 2007

Continuing Legal Education for Counsel on Education in Management, 2001, 2002

**PROFESSIONAL & COMMUNITY ASSOCIATIONS**

Colorado Bar Association

Arapahoe County Bar Association

Colorado Defense Lawyers Association

Defense Research Institute – Member

**BAR ADMISSIONS**

Colorado

U.S. District Court, Colorado

**EDUCATION**

J.D., University of Denver, 1993

B.A., New Mexico Highlands University, *magna cum laude*, 1989