


SHERMAN & HOWARD L.L.C.


ESTABLISHED EXCELLENCE

Gordon "Skip" Netzorg

Member

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Terri Gonzales

303.299.8227 **Areas of Emphasis**

Litigation, Trials & Appeals

Education

- Juris Doctor, *with honors*, Syracuse University, 1976
 - Articles Editor, *Syracuse Law Review*
- Bachelor of Arts, University of Pennsylvania, 1970



Gordon "Skip" Netzorg, a member of the firm's Arbitration & Mediation practice, focuses on resolving difficult commercial disputes. He is frequently selected as the arbitrator or mediator because of his extensive trial experience on both the plaintiff and defendant sides, his reputation for fairness, and his ability to get to the heart of the matter for quick resolution of even the most contentious cases. Skip has served as an arbitration panel chair, panel member, or sole arbitrator in dozens of major cases where arbitration demands have ranged from the tens of thousands of dollars to multibillion-dollar figures. He is a member of the American Arbitration Association's (AAA) National Panel and is often selected by the AAA to teach panel member courses. He is also a member of the National Academy of Distinguished Neutrals.

Skip has been repeatedly recognized in many areas of law. Year after year, he is listed as a Top 10 Super Lawyer and Best Lawyer in numerous categories. He is a fellow of both the highly selective and prestigious American College of Trial Lawyers and the International Academy of Trial Lawyers.

MEDIATION

A former litigator of complex, multiparty commercial disputes, Skip brings the perspective of a trial lawyer and an arbitrator, along with a cutting-edge methodology to conduct mediations effectively and efficiently. Emphasizing the importance of informational exchanges, he encourages the parties to meaningfully evaluate and deal with the risks, strengths, and weaknesses of their cases and those of their adversaries. Skip talks with counsel before the start of mediation to determine how he can best facilitate resolution. He is proactive in steering cases toward settlement. He also employs a number of especially effective strategies to move the parties along when they reach an impasse.

ARBITRATION

Skip was a member of the Institute for the Advancement of the American Legal System (IAALS)/American College of Trial Lawyers Joint Task Force on Discovery and has been at the forefront of efforts to reduce costs, complexity, and time to trial while maintaining fairness to all parties. As an arbitrator with this knowledge and experience, he guides parties in conducting discovery to ensure they obtain the information they need to make their claims and defenses without the abuses discovery can entail. When discovery disputes arise, he handles

them quickly and informally, often convening telephone conferences within hours of a dispute or during a disputed deposition. He is able to streamline the process and help contain costs while maintaining a level playing field for the parties.

In addition to serving as an arbitrator and a mediator, Skip helps counsel structure mock arbitrations to test the effectiveness of arguments, case theories, evidence, and witness testimony in advance of an actual hearing. Skip is also available for *pro bono* mediations for those who represent a client on a *pro bono* basis.

Representative Matters

MEDIATION

- Breach of fiduciary duty; fraud; breach of trust; registered representative (stockbroker) misconduct; entity breakups; corporate governance; professional malpractice; insurance coverage; breach of contract; virtually all aspects of business disputes; divorce; auto accidents; and large, complex estate and trust matters

Many of these cases have been multiparty mediations.

ARBITRATION

- Intellectual property; computers; programming; patents; unfair trade practices; large, complex commercial contracts; banking lending practices; finder's fees; corporate governance; breach of fiduciary duties; fraud; accounting and tax; Fair Labor Standards Act (FLSA); putative class actions; collateralized debt; business breakups; employment disputes; professional liability; cannabis; healthcare; natural resources and mining; oil and gas; construction and real estate development; tribal conflicts; tribal lending entities; securities and investments; condemnation (as lead commissioner); gaming facilities; sports controversies

LITIGATION

- Typical cases have involved issues as diverse as breach of contract, breach of fiduciary duties, corporate governance, business and investment fraud, real estate, debtor-lender disputes, intellectual property, and natural resources
- Extensive familiarity with corporate, partnership, limited liability company, and banking statutory requirements
- Involved with all aspects of special litigation committees, from court appointment as special litigation counsel to counsel for corporate entities in derivative litigation
- Successfully tried and obtained verdicts, judgments, and arbitration awards in wide variety of complex commercial cases including eight-figure awards, nine-figure settlements, and defense verdicts
- Numerous other cases including shareholder and bondholder suits and class actions, representation of officers and directors in corporate investigations and lawsuits, representation of investors and brokerage firms, representation of various parties in disputed estate matters, oil and gas and mining disputes, tribal disputes, disputes among professionals, defense of Resolution Trust Corporation and Federal Deposit Insurance Corporation (FDIC) investigations and administrative claims on behalf of officers and directors, service as court-appointed discovery and special master, and special litigation committee counsel in derivative litigation

Professional Activities

BAR ADMISSIONS

- Colorado
- U.S. Court of Appeals for the Tenth Circuit
- U.S. District Court for the District of Colorado

- U.S. Court of Federal Claims

PROFESSIONAL AFFILIATIONS

- American Arbitration Association National Panel of Arbitrators and Mediators
- American Arbitration Association Large Case Committee
- Colorado Charter Member, National Academy of Distinguished Neutrals
- American College of Trial Lawyers Task Force on Discovery and Civil Justice
- Co-Chair, Colorado Civil Access Business Pilot Project
- Life Fellow, American Bar Foundation
- Past President, Colorado Trial Lawyers Association
- Past Chair, Commercial Law Section, Colorado Trial Lawyers Association

Honors and Awards

- American College of Trial Lawyers (Colorado State Chair, 2010-2012)
- International Academy of Trial Lawyers, Fellow
- *Best Lawyers in America*
 - Arbitration (2011 – 2020)
 - Bet-the-Company Litigation (2015 – 2020)
 - Commercial Litigation (1995 – 2020)
 - Litigation – Banking and Finance (2011 – 2020)
 - Litigation – Real Estate (2011 – 2020)
 - Litigation – Securities (2011 – 2020)
 - Mediation (2011 – 2020)
- *Best Lawyers in America*, "Lawyer of the Year," Litigation – Securities, Colorado (2019)
- *Best Lawyers in America*, "Lawyer of the Year," Litigation – Banking and Finance, Denver, CO (2010, 2013)
- *Super Lawyers*, Ranked #2 Colorado Super Lawyers (2018, 2020)
- *Super Lawyers*, Ranked #3 Colorado Super Lawyers (2019)
- *Super Lawyers*, "Top 10 Lawyers," Colorado (2013 – 2020)
- *Super Lawyers*, "Top 100 Lawyers," Colorado (2012 – 2020)
- *Super Lawyers*, "Top 50 Lawyers," Colorado (2006 – 2011)
- *5280 Magazine*, "Top Lawyer," Commercial Litigation (2015 – 2020)
- Institute for the Advancement of the American Legal System, "Rebuilding Justice Award" (2015)
- *Law Week Colorado*, "Barrister's Best" People's Choice, Best Renewable Energy Lawyer (2015)
- *Law Week Colorado*, "Lawyer of the Year" (2011)
- *Chambers USA*, Band 2, Litigation: General Commercial, Colorado
- "Best of the Bar Award" Securities Law

Publications and Presentations

PUBLICATIONS

- **Co-author with Hon. Ann B. Frick, Significant Changes for Business Cases Under the Colorado Civil Access Pilot Project**
The Colorado Lawyer, Vol. 41, No. 1 page 29
January 2012
- **Co-author with Gilbert Dickenson, Natalie Brown and Hon. Ann B. Frick, Colorado at the Crossroads: Civil Access Pilot Project**
The Colorado Lawyer, Vol. 40, No. 1 page 17
January 2011
- **Co-author with Tobin Kern, Proportional Discovery: Making It the Norm, Rather Than the Exception**
87 *University of Denver Law Review* 513
March 2010

PRESENTATIONS

- *Frequent Lecturer, trial practice subjects, various bar associations*