



John M. Tanner

Director

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John (Jack) Tanner's singular dedication to helping his clients solve their troubled-company and complex commercial disputes has made him a sought-after resource for receivers and corporate counsel throughout Colorado. Jack's pragmatic approach to receiverships and other civil litigation matters always begin with an end in mind—to learn the realities about his clients' businesses so that he can provide meaningful solutions aimed at meeting their particular needs.

A problem solver at heart, Jack's passion for his work carries across industries, from counseling real estate development and construction companies on breach of contract claims to representing receivers and minority investors in insolvency and receivership matters. Jack excels at juggling the many moving parts that multi-million-dollar disputes entail, and he focuses on securing the best outcomes for his clients because he knows results impact their bottom lines.

As one of Colorado's leading receivership attorneys, Jack has represented the leading receivers in Colorado as well as hundreds of companies, investors, secured interest holders, and other parties, helping them navigate the complex process and get back on track. Because commercial finance issues impact every business, Jack has developed knowledge and expertise across a broad spectrum of industries, but always welcomes the opportunity to learn about new companies and sectors at every turn.

Jack works closely with clients to understand how a given dispute impacts their business goals, and when needed he coaches them to pursue resolutions outside the courtroom. He employs many tools, including negotiation, alternative dispute resolution, and traditional and atypical litigation tactics. Having clerked for Chief Justice Luis Rovira, he also regularly represents clients on appeals.

Jack's experience includes handling scores of receiverships, including a decade-long receivership for Indian Motorcycle involving dozens of parties throughout the United States. He has also represented receivers involving a real estate developer in a dispute over a private golf course and a ranching business in a dispute with one of its lenders. Jack's work at times entails working alongside regulatory agencies. As one example, he worked with the Attorney General of Colorado's Office of Consumer Fraud to save a no-kill animal shelter on the brink of financial collapse.

In a commercial dispute context, Jack represents innovative organizations like Microsoft, Noble Energy, Kinder Morgan, the University of Denver, and the Denver Museum of Nature and Science. He also represents some of fwlaw.com

the leading receivers in Colorado, including Alliance Management, The Receiver Group, High Ridge Partners, and Sterling Consulting Corporation. Regardless of the underlying dispute, Jack offers counsel that is rooted in the day-to-day business realities his clients face.

In addition to his commercial practice, Jack is a frequent lecturer and author regarding legal ethics, particularly ethics for in-house counsel. He has served on the Colorado Bar Association Ethics Committee since 1995, and he provides an annual continuing legal education course on legal ethics for in-house counsel.

Education

Duke University School of Law, J.D., *with honors*, 1986
Rice University, B.A., History, 1983

Bar Admissions

U.S. District Court for the District of Colorado
U.S. Court of Appeals for the Tenth Circuit
U.S. Court of Federal Claims
U.S. Supreme Court

Practice Areas

Appellate
Business and Commercial Litigation
Construction Litigation
Corporate
Intellectual Property
Intellectual Property Litigation
Litigation
Real Estate
Real Estate Litigation
Receiverships
Bankruptcy, Reorganizations, and Workouts

Sectors

Oil and Gas
Law Firms and Lawyers

Representative Experience

- Lead counsel for receiver in Indian Motorcycle receivership, resolving 20 years of litigation and multiple claims to the Indian Motorcycle® trademark
- Represented Microsoft on multiple trademark and copyright infringement matters

Professional Affiliations

- Colorado Bar Association

- Ethics Committee, 1995 - present
 - Chair, 2020-2021
 - Vice Chair, 2019-2020
- Denver Bar Association
 - Softball league, commissioner
- Faculty of Federal Advocates, 2007 - present

Community Involvement

- Rice University - Colorado Alumni Association
 - Board of Directors, July 2013 - June 2016
- Denver Public Schools
 - Constitution Day volunteer, 2011

Recognition

- Martindale-Hubbell AV Preeminent rated
 - 2013 Top Rated Lawyer in Commercial Litigation
- Colorado Super Lawyers
 - Business Litigation
- The Best Lawyers in America
 - Litigation-Bankruptcy (2013 - Present)
 - Ethics and Professional Responsibility Law (2013 - Present)

Presentations

- "Ethics for In-House Lawyers", *Quimbee* (August 2023)
- "Ethical Issues for Lawyers & Landmen," 21st Annual Permian Basin Oil & Gas Law Seminar (March 1, 2019)
- "Everyday Ethics for Busy Lawyers," Aurora County Bar Association (June 15, 2017)
- "Receivers for Marijuana-Related Businesses," Turnaround Management Association (April 20, 2017)
- "Recent Ethical Issues for In-House Counsel," Boulder County Bar Association CLE (February 16, 2017)
- "Ethics and Risk Allocation Between In-House and Outside Counsel," 38th Annual University of Texas Corporate Counsel Institute (April 7-8 and May 5-6, 2016)
- "Ethics and Disclosure in Acquisitions," 33rd Annual Advanced Oil, Gas & Energy Resources Law (October 2, 2015)
- "Current Ethical Issues for In-House Lawyers," Webinar for the Clear Law Institute (September 17, 2015)
- "Ethics Issues for In-House Counsel and Landmen," 28th Annual Energy Law Institute for Lawyers and Landmen (September 2, 2015)
- "Ethical Considerations for New Attorneys," CLE for the Denver Bar Association Young Lawyers Division (November 13, 2014)
- "Fiduciary Duties of Officers, Directors, Managers and Their Counsel: Avoiding Personal Liability...and Lawyer Liability for Aiding and Abetting Fiduciary Breaches," Colorado Business Law Institute (October 30, 2014)

- “Recent and Recurring Ethical Issues for In-House Lawyers,” Webinar for the Clear Law Institute (October 27, 2014)
- “Recurring Ethical Issues for In-House Counsel and Landmen,” South Texas College of Law’s 27th Annual Energy Law Institute (August 27-28, 2014)
- “Recurring Ethical Issues for In-House Counsel,” 19th Annual Ethics Conference CLE (December 9, 2013)
- “Basics of Ethics- What You Used to Know, Never Knew and Need to Know,” Colorado Bar Association (November 22, 2013)
- “Everyday Ethics for Lawyers,” Boulder County Bar Association (November 12, 2013)
- “Everyday Ethics for New Lawyers,” Denver Bar Association Young Lawyers Division, Court Orientation Program (November 8, 2013)
- “Ethics and Professionalism,” Adams 12 Five Star School District Annual School Law Seminar (May 31, 2013)
- “Litigating Trade Secret Cases,” Boulder County Bar Association CLE (March 14, 2013)
- “Legal Ethics Raised in Enron Documentary,” University of Denver Sturm College of Law CLE (February 28, 2013)
- “Everyday Ethics for Busy Lawyers,” Colorado Bar Association CLE (November 30, 2012)
- “Everyday Ethics for New Lawyers,” Denver Bar Association Young Lawyers Division, Court Orientation Program (November 14, 2012)
- “Recent and Recurring Issues in Ethics for In-House Counsel,” Fairfield and Woods, P.C. (November 8 and 14, 2012)
- “The Ethics of Surreptitious Recording,” Colorado Bar Association CLE (October 26, 2012)
- “Recurring Ethical Issues for In-House Counsel,” Colorado Association for Corporate Counsel (October 10, 2012)
- “Everyday Ethics for Busy Lawyers,” Continental Divide Bar Association (October 4, 2012)
- “Ethical Issues for In-House Counsel,” Boulder County Bar Corporate Law Section (April 12, 2012)
- “You’re on Candid Microphone! Surreptitious Recording and Legal Ethics,” Colorado Bar Association (December 20, 2011)

Successes

- Indian Motorcycle