

## PRACTICES:

- Litigation
  - Bankruptcy, Creditors' Rights and Insolvency-Related Litigation
  - Appellate
  - Business Disputes / Commercial
  - Construction Litigation
  - Federal Issues Litigation
  - Labor and Employment
  - Product Liability and Toxic Tort
  - Technology Litigation
- Labor and Employment
  - Employment Services



## Timothy R. Odil

Associate - Denver

todil@mckennalong.com

1400 Wewatta Street  
Suite 700  
Denver, CO 80202-5556

TEL: 303.634.4337

FAX: 303.634.4400

## Experience

Timothy Odil is an associate in McKenna Long & Aldridge's Denver office. His practice focuses on all aspects of commercial litigation, including disputes among private parties as well as disputes with local, state, or federal government agencies.

Tim has helped clients obtain favorable litigation results before administrative law judges, state and federal trial courts, and appellate courts. Tim has developed particular experience in litigation of regulatory compliance and business licensing issues in Colorado, recently achieving a trial victory for a client that reversed the Colorado Department of Human Services' decision to revoke a client's business license. In the Colorado appellate courts, Tim helped a client obtain an order completely invalidating, on state law preemption grounds, a local government's enactment of an entire set of regulations. *Colo. Mining Ass'n v. Bd. of County Comm'rs of Summit County*, 199 P.3d 718 (Colo. 2009), *rev'g* 170 P.3d 749 (Colo. App. 2007). Tim also helped a client prevail in litigation of allegations of violation of Colorado's campaign finance and disclosure laws.

Tim's experience includes several favorable resolutions of contractual disputes, including a recent trial victory in the U.S. Court of Federal Claims in *American Ordnance LLC v. United States*, 83 Fed. Cl. 559 (2008) (declaratory judgment overturning federal government's claim of ownership in contractor production equipment acquired to perform munitions contract), and a recent summary judgment victory in the U.S. District Court for the District of New Mexico in *Sw. Multi-Craft Health & Welfare Trust Fund v. IAP World Servs. Corp.*, No. 1:07-cv-0337 MCA/ACT, 2008 WL 5573072 (D.N.M. August 28, 2008) (dismissing union trust funds' ERISA claim against government contractor employer for additional fringe benefit contribution payments). Tim also has assisted clients in obtaining efficient early dismissals of contractual and tort claims. *Cottingham v. Policy Studies, Inc.*, No. 08-5488 (6th Cir. Mar. 26, 2009) (affirming dismissal of tort and civil rights complaint); *H&H Transformer, Inc. v. Battelle Energy Alliance, LLC*, No. 09-cv-00442-WYD-BNB, 2009 WL 3530370 (D. Colo. Oct. 23, 2009) (granting motion to dismiss breach of contract suit for improper venue).

Tim also has Colorado-specific experience in receivership and foreclosure litigation. Tim has assisted banks and other corporate clients in receivership and foreclosure matters involving commercial properties, and has also represented creditors, lien claimants, loan servicers, and court-appointed receivers in such matters.

Prior to joining McKenna Long & Aldridge, Tim was a judicial law clerk for the Honorable J. Robert Lowenbach and the Honorable Daniel S. Maus in the civil division of Colorado's Nineteenth Judicial District. During law school, Tim was recognized with several scholastic excellence awards and honors. He was a member of the University of Denver's ABA Appellate Advocacy moot court team

## + Publications:

- *Colorado Receivership & Foreclosure*, co-author Lino S. Lipinsky de Orlov, in *Trigild 2009 Deskbook: Guide to Receivership & Foreclosure* 42 (1st ed. 2009).
- "Feature Comment: CDA Statute of Limitations Applied to Bar the Government's Claim in *American Ordnance v. U.S.*," co-author Steven M. Masiello, *The Government Contractor*, Vol. 51, Number 8 (February 25, 2009)

## + Professional Activities:

- Colorado Bar Association
- Denver Bar Association
- American Bar Association

and a staff member of the *Transportation Law Journal*. Tim also interned in the office of the general counsel at Graphic Packaging Corporation and later in the general counsel division at Colorado Springs Utilities.

Tim currently serves on the board of Rebuilding Together Metro Denver, Inc. Tim has been recognized as a "Colorado Rising Star" by the publishers of *Law and Politics*.

### **Education**

- J.D., University of Denver College of Law, 2004
- B.A., The Johns Hopkins University, 2001

### **Admitted**

- Colorado
- U.S. District Court for the District of Colorado
- U.S. District Court for the District of Columbia
- U.S. Court of Federal Claims
- U.S. Court of Appeals for the Sixth Circuit
- U.S. Court of Appeals for the Tenth Circuit
- U.S. Court of Appeals for the D.C. Circuit