



## Michael Beaver

### Senior Counsel

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**Mike works with clients to achieve optimal resolution of employment, insurance, and benefit plan disputes, and to develop practical preventive strategies.**

Focused on client objectives, Mike has led the defense of hundreds of cases brought against employers and insurers. He also counsels and defends clients in the ski and recreation industries.

Mike's employee benefits experience includes cases brought under the Employee Retirement Income Security Act (ERISA), involving pension and welfare benefit claims, insured life, health and disability claims, fiduciary issues, independent contractor status, and class actions. He has led the defense of cases in federal courts throughout the United States, as well as appeals in several federal circuits. He has also been involved in extensive non-ERISA benefits and insurance litigation in the state courts. Mike leads a team of Holland & Hart lawyers who litigate employee benefit issues, resulting in dozens of trial court and appellate decisions which have helped shape controlling law.

Mike has also represented in virtually all types of employment litigation, including discrimination, wrongful discharge, executive compensation, and wage-hour litigation. He regularly counsels Fortune 500 companies, as well as small employers, concerning employment issues and compliance strategies.

Overlapping with his ERISA benefits practice, Mike has represented many insurers in life, health and disability litigation. He has defended individual and collective claims, sales practices litigation, product performance, and litigation based upon unique state claims practices statutes.

Mike has also provided comprehensive representation to companies in the ski, resort and recreation industries, including personal injury, employment, and general litigation.

Mike is a regular author and speaker, presenting at programs sponsored by the ABA, DRI, Western Pension & Benefits Council, Colorado Bar Association, and others. He also frequently provides training for employers, managers, and client staff concerning a range of employment, recreational liability, and insurance claim issues. Mike also serves as an Adjunct Professor at the University of Denver Sturm College of Law.

Prior to joining Holland & Hart, Mike worked in business, serving as Human Resources Manager and Vice President for Finance and

### PRACTICES

ERISA and Benefits Litigation

### INDUSTRIES

Healthcare

### EDUCATION

University of Denver, J.D., 1986

University of Colorado, B.S.B.A., 1979

### BAR ADMISSIONS

Colorado

### COURT ADMISSIONS

U.S. District Court for the Tenth Circuit

Administration for a Denver-based manufacturer. He has also served in law firm management, as past Chair of Holland & Hart's Litigation Department, and as a past member of the firm's Management Committee.

## **PUBLICATIONS**

"Should I Say Something? A Plan Administrator's Duty to Provide Individualized Benefits Communications," *The Brief: American Bar Association*, 05/24/2021

"ERISA Survey of Federal Circuits (2020 Edition): Chapter 10, Tenth Circuit," *ABA Tort Trial and Insurance Practice Section*, December 2019

## **SPEAKING ENGAGEMENTS**

"I Should Have Said WHAT?: An Employer's Potential Liability for Failing to Tell Employees About 'Hidden' Employee Benefit Issues," 2021 *Employment Law Conference, Colorado Bar Association*, 10/01/2021

## **RECOGNITION**

- *Chambers USA*, Labor & Employment: Employee Benefits & Compensation, 2015-2019; Employee Benefits & Executive Compensation, 2020-2023
- Colorado Super Lawyers®, Employee Benefits/ERISA, 2008-2016; Employment & Labor, 2017-2024
- James K. Carroll Leadership Award from the ABA Tort Trial and Insurance Practice Section (TIPS), 2019
- *The Best Lawyers in America*® Insurance Law, 2007-2024; Litigation – ERISA, 2012-2024; Litigation – Labor and Employment, 2013-2024
- *The Best Lawyers in America*® Lawyer of the Year, Litigation - Labor and Employment – Denver, 2019
- *The Best Lawyers in America*® Lawyer of the Year, Insurance Law – Denver, 2011
- Martindale-Hubbell®, AV Preeminent® Rating

## **PROFESSIONAL AND CIVIC AFFILIATIONS**

- American Bar Association, Member  
Tort Trial & Insurance Practice Section  
Governing Council, 2006-2009
- American College of Employee Benefits Counsel, Fellow
- American Bar Foundation, Fellow
- ABA/TIPS, Fellow
- Defense Research Institute
- Member, Colorado Bar Association