Holland & Hart



PRACTICES

Policyholder Insurance Coverage
Business Litigation
Finance

EDUCATION

University of Denver, J.D., 2003
Order of St. Ives
Scholastic Excellence Award in Advanced Trial Practice and Insurance Law

University of California at Los Angeles, B.A., 1988
Political Science

BAR ADMISSIONS

Colorado

Joe Ramirez

Partner

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Joe provides clear strategies to his clients when facing risk management and insurance coverage issues.

Having worked in the insurance industry before becoming an attorney, Joe understands the nuances of the insurance industry, and he can guide clients through the complexities of insurance coverage and, where necessary, coverage litigation.

He represents policyholders exclusively in a variety of insurance coverage cases. These cases include commercial general liability, commercial property, directors and officers, errors and omissions, life, health, fidelity and surety bonds, and excess/umbrella insurance. In addition, Joe consults business professionals on risk management issues, including maximizing the possibility of insurance coverage by examining existing exposures. Joe is on the front line of insurance trends and developing issues that affect his clients through his involvement in the American Bar Association, Tort Trial, and Insurance Practice Section and as a Fellow of the American College of Coverage Counsel.

Joe's extensive experience in insurance coverage includes 15 years of supervising litigation for a $5 billion national property and casualty company prior to law school. As a litigation supervisor, he oversaw complex coverage disputes involving construction, environmental, and product liability cases.

EXPERIENCE

Policy Coverage Issues Under

- General Liability
- Professional Liability
- Environmental Liability
- Directors & Officers Liability
- Commercial Auto
- First Party Property/time element and cyber security coverage

CLIENT RESULTS

Representative Cases

Defended an energy company in a declaratory judgment suit where an insurance company moved for summary judgment on a question of law asking the court to declare that it did not owe our client a defense because

the underlying case did not allege that their insured was liable. Our client, listed as an additional insured and indemnitee, argued that the plaintiff/employee could not assert a liability claim against its employer, but that did not preclude our client from arguing that the employer was at fault and thus triggering an obligation to defend. The Court denied the insurance company's motion for summary judgment.

Served as insurance coverage counsel in a litigation dispute. We provided a coverage opinion and advocated for primary and excess insurance coverage before mediation. We represented an orthopedic surgeon known for performing knee surgeries on professional athletes. The matter was settled at mediation.

Handled a construction defect case where the homeowner association alleged multiple property defects. The estimates on the claim expanded to include over $11 million. We had intense negotiations with the primary and excess insurers because they raised policy defenses alleging that repairs did not constitute property damage or that a general liability policy did not cover any damage resulting from design deficiencies. Through mediation, we were able to get the claim covered by insurance.

Represented a client defrauded by an organization in Mississippi that sold and stored commodities. Titles for commodities were sold to multiple entities. We provided insurance coverage advice relating to the claim for loss of goods insured under an ocean marine insurance policy. Our representation included insurance coverage review under a crime bond.

Acting as personal counsel advising our client on its insurance coverage associated with antitrust claims brought against them. We have succeeded in getting the insurance company to provide a full defense and agree to retain their preferred anti-trust attorneys.

Westcor v. Travelers, 2006 WL 1752338 (D.Colo), prevailed on motion for partial summary judgment preventing *Travelers* from removing a $200 million earth movement extension of coverage at renewal

West Coast Life Ins. Co., v. Hoar, 558 F.3d 1151, (10th Cir. 2009), prevailed on a motion for summary judgment rescinding a $3 million life insurance policy for misrepresentations in an application

We were asked to assist with a construction defect claim and resulting insurance issues. We reviewed our clients insurance policy and discovered that they had a broad earth movement coverage, providing $50M in coverage. The insurance companies refused to cover the losses, prompting us to file suit in state court. Through discovery and motions practice, we obtained a $5.6M settlement, which reimbursed the out-of-pocket costs to our client.

Other Experience

Negotiated Coverage for Cyber-Related Defense Costs – A retail grocer defended, and succeeded in dismissing, a class action lawsuit claiming significant damages arising from an alleged data breach. Our client sought coverage for the litigation defense costs under the general liability policy.

After the insurance company refused coverage, our client brought suit in Colorado District Court claiming the policy covered property damage including loss of use of property that had not been physically injured. The lead plaintiff had alleged that his credit card had been cancelled. The case was settled on terms favorable to our client.

Coverage Action Dismissed on Summary Judgment – Succeeded in dismissing on summary judgment a $3.2M coverage action against an insurance brokerage company by a trucking company claiming the broker failed to procure $8M in excess coverage over its entire trucking fleet. In response to the brokers denial of excess insurance coverage because the truck involved in an accident was not covered under the policy, the insured brought an action claiming negligence, breach of contract, fraud, concealment, misrepresentation, and punitive damages.

SPEAKING ENGAGEMENTS

"Presenting and Proving Causation: Exploring Key Trial Aspects of a Building or Structure Collapse," *American Bar Association (ABA) Webinar*, 04/20/2022

"Presenting and Proving Causation: Exploring Key Trial Aspects of a Building or Structure Collapse," *American Bar Association*, April 20, 2022

RECOGNITION

- *Chambers USA*, Insurance, 2023-2026
- *The Best Lawyers in America*® Lawyer of the Year, Insurance Law – Denver, 2025
- *The Best Lawyers in America*® Insurance Law, 2011-2027; Litigation - Insurance, 2018-2027
- *5280 Magazine* Top Lawyers, Insurance, 2024
- Colorado Super Lawyers®, Rising Stars, 2012, 2013
- *Law Week Colorado,* Up-And-Coming Lawyers
- One of only 24 lawyers nationwide selected to be part of the American Bar Association's inaugural TIPS Leadership Academy, 2007
- Colorado Hispanic Bar Association, "The Outstanding New Hispanic Lawyer of 2005"

PROFESSIONAL AND CIVIC AFFILIATIONS

- American College of Coverage Counsel, Fellow
- Colorado Hispanic Bar Association, Past-President, 2008
- American Bar Association, Member
  Membership Vice-Chair
  Tort Trial and Insurance Practice Section
  Insurance Coverage Litigation Committee, 2005-present
  Task Force on Disaster Insurance Coverage, 2007-2008
  Self-Insurers and Risk Managers Committee, Chair, 2013-2014
- Risk and Insurance Management Society, Member, 2009-present

- Colorado Bar Association, Member