Holland & Hart



Katherine Varholak

Partner

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Katie is a respected, go-to litigator when the stakes are high and the issues are complex.

Insurance Recovery Litigation: Katie helps corporate and individual policy holders manage and pursue benefits for almost every type of insurance. She protects clients' risk profiles with sage counsel at the contract stage on indemnity provisions and manuscript insurance policies including wrap-up policies and other specialized industry policy language. When disputes arise, Katie provides pragmatic guidance on the legal and business impacts—including cost—at every stage of litigation or alternative dispute resolution. While forcefully advocating her clients' interests, she is known for her ability to work constructively with insurer's counsel to resolve complex coverage issues.

Trust and Estate Litigation: When emotions run high, clients appreciate that Katie is responsive and calmly helps them navigate difficult decisions that impact their lives and wealth. She advises high net worth individuals and families in complicated trust and estate disputes and fiduciary litigation. She also represents corporate and individual trustees and personal representatives with fiduciary responsibility for individual and family wealth.

Katie's public service experience includes working as a Claims Examiner for the US Department of Justice (DOJ), Civil Division, Constitutional and Specialized Torts; serving as a law clerk to the Honorable Arthur L. Alarcon of the US Court of Appeals for the Ninth Circuit; and an attorney with the DOJ Honors Program for the Civil Division, Appellate Staff.

Before joining Holland & Hart, Katie was a member at Sherman & Howard where she served as Chair of the Litigation, Trials, and Appeals Practice Group for seven years, among other leadership roles.

EXPERIENCE

Policy Coverage Issues: General Liability

- Builder's Risk
- Commercial Auto
- Crime
- Cybersecurity and Risk
- Directors & Officers Liability
- Disability Insurance

PRACTICES

Trust and Estate Litigation
Appellate
Policyholder Insurance Coverage
Business Litigation

EDUCATION

University of Michigan Law School, J.D., 2000
magna cum laude
Order of the Coif
Michigan Law Review, Executive Notes Editor

Yale University, B.A., 1995

BAR ADMISSIONS

Colorado

COURT ADMISSIONS

Tenth Circuit Court of Appeals
U.S. District Court for the District of Colorado
U.S. District Court for the Central District of California
U.S. District Court for the Northern District of California

- Employers Practices Liability Insurance
- Environmental Liability
- Excess/Umbrella
- Inland Marine
- Professional Liability
- Property Liability

Katie’s commercial litigation experience includes:

- Appeals
- Business Disputes
- Internal Investigations

CLIENT RESULTS

Insurance Recovery

Obtained more than $100M in insurance proceeds for individual and corporate clients in high stakes bad faith disputes under all manner of insurance policies, including Commercial General Liability, Builder's Risk, Property, D&O, EPLI, Cyber, Crime and others.

Obtained multi-million dollar bad faith jury verdict, including double damages and attorneys' fees, against general liability carrier for its unreasonable delay and denial of coverage for damages arising out of a construction accident.

Regularly consult on corporate insurance programs, including negotiating wrap-up insurance programs (OCIPs and CCIPs) for large multi-family housing developments and negotiating insurance provisions in contracts.

Trusts & Estate Litigation

Frequently litigate or resolve through settlement high net worth family disputes involving trusts and estates of more than $25 million.

On behalf of trustee, obtained summary judgment in dispute over validity of competing trust documents.

On behalf of beneficiaries, obtained judgment against fiduciary in compensation request, including attorneys' fees and costs awarded against fiduciary.

On behalf of Personal Representative, prevailed in will contest and challenge to appointment as personal representative.

PUBLICATIONS

"Colorado Civil Claims: Elements, Defenses, and Sample Pleadings," *CLE in Colorado, Inc.*, 2019 Edition

SPEAKING ENGAGEMENTS

"Negotiating Wrap Ups," *Colorado Construction Law Seminar*, October 2017

"Insurance Update: Emerging Tactics to Avoid Paying Your Claim," *Colorado Construction Law Seminar*, February 2017

RECOGNITION

- *Chambers USA,* Litigation: General Commercial, 2023-2026; Insurance, 2025, 2026
- *The Best Lawyers in America*® Insurance Law, 2020-2027; Litigation: Insurance, 2019-2027; Litigation: Trusts and Estates, 2019-2027; Commercial Litigation, 2021-2027; Appellate Practice, 2023, 2027
- Colorado Super Lawyers® Insurance Coverage, 2021-2026; Rising Star, 2012-2013
- US Department of Justice, Special Commendation Award for Outstanding Service, 2002

PROFESSIONAL AND CIVIC AFFILIATIONS

- Litigation Counsel of America, Fellow
- National Institute of Trial Advocacy, Faculty, 2016-present
- American Bar Association, Fellow
- Colorado Women's Bar Association, Member, 2003-present
- Law School…Yes We Can!, Mentor, 2023-present
- Stanley British Primary School
    - Chair of Board of Trustees, 2019-2024
    - Chair Elect of Board of Trustees, 2018-2019
    - Chair, Head Search Committee, 2018-2019
    - Executive Committee Member, 2018-2024
    - Chair, Risk Management Committee, 2018-2024
    - Head of School Support & Evaluation Committee, 2018-2024
- Girls on the Run, Coach, 2015-2017
- Girl Scouts of the USA, Troop Leader, 2013-2017