



L. Michael Brooks

Partner

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303-812-1256

Michael Brooks focuses his practice on trial and appellate litigation in insurance bad faith defense, product liability, mass torts, insurance coverage, construction defects, complex coverage, and extra-contractual litigation arising out of first- and third-party claims in Colorado and nationally.

He is experienced in complex civil litigation on the trial and appellate levels, particularly in product liability and insurance cases. He has prepared summary judgment motions and motions regarding the admissibility of expert testimony for several clients involved in toxic tort cases nationwide.

Mike was born in Denver. After graduating from law school, he served two terms as a law clerk on the Colorado Court of Appeals under the Hon. Karen S. Metzger and the Hon. Sandra I. Rothenberg.

Appellate

Michael has served as appellate advisory counsel in many product liability trials, developing and arguing pretrial motions, jury instructions, trial briefs, dispositive motions, post-trial motions, and related pleadings and preserving appellate issues. His appellate practice includes diverse cases involving product liability, insurance coverage, public entity liability, and personal injury matters, as well as amicus curiae briefs in the United States Supreme Court, the Circuit Courts of Appeal, and state courts of last resort regarding the standards governing the admissibility of expert testimony.

Representative Experience

Participated as trial and appellate counsel in multiple state and federal court multi-plaintiff actions for Fortune 500 product manufacturers.

Successfully defended appeal to the Colorado Supreme Court resulting in the announcement of a new, defense-favorable legal standard governing the accrual date of prejudgment interest in cases involving claims of latent property damage, resulting in combined savings of over \$1 million to client in two product liability cases.

Achieved successful Colorado Supreme Court review of a certified question of state law about the choice-of-law rule applicable to prejudgment interest, overruling an 85-year-old precedent and avoiding a potential interest award of up to \$6 million for product-liability client.

Successfully defended multiple appeals for liability insurance clients regarding the scope of the duty to defend or to reimburse defense costs, resulting in no-liability rulings for clients.

Successfully defended original proceeding in the Colorado Supreme Court resulting in a ruling that the wrongful-death damages cap on non-economic damages applies on a per-claim basis regardless of the number of defendants.

Awards & Recognition

BEST LAWYERS

Listed for Appellate Practice, Commercial Litigation, Insurance Law, Litigation - Insurance, Mass Tort Litigation, Class Actions - Defendants, and Product Liability Litigation - Defendants
2021-2025

MARTINDALE-HUBBELL

Peer Rated for Highest Level of Professional Excellence
2022

MARTINDALE-HUBBELL

AV Rated
2024

COLORADO SUPER LAWYERS

Listed for Civil Litigation: Defense, Insurance Coverage, Appellate, General Litigation, Personal Injury - Defense, and Professional Liability - Defense
2015-2025

Related Services

[Insurance](#)

Education, Admissions & Activities

EDUCATION

University of Denver College of Law
J.D., 1995

Regis University
B.A., magna cum laude, 1992

BAR ADMISSIONS

Colorado
1995

COURT ADMISSIONS

United States Supreme Court

United States Court of Appeals
Eighth, Ninth and Tenth Circuit

United States District Court of Colorado

PROFESSIONAL AND COMMUNITY ACTIVITIES

Colorado Supreme Court Committee on Civil Jury Instructions
Subcommittee Chair

Product Liability Advisory Council, Inc.
Case Selection Committee

Denver Bar Association

Colorado Bar Association

International Association of Defense Counsel (IADC)

Defense Research Institute (DRI)

Colorado Defense Lawyers Association