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## Profile

Born 9 April 1953 Livermore, CA. Married to Linda J. Chalats, attorney at law, with four children.  
Residence: Evergreen, Colorado

Admitted to active practice before: Colorado State and Federal courts (1977), Michigan State courts (by examination - 1983), the United States Court of Appeals for the 10th Circuit (1981) and the United States Supreme Court (1981). Mr. Chalats concentrates on professional negligence, personal injury, skiing, and recreational accident cases. He devotes substantial time to *pro bono* matters and community service.

## Education

THE UNIVERSITY OF DENVER COLLEGE OF LAW  
*J.D., 1977*

THE UNIVERSITY OF MICHIGAN  
*B.G.S. with distinction 1974*

## Professional Affiliations and Recognition

- voted a Colorado "Super Lawyer," 2006, 2007, 2008.
- Bar Register of Preeminent Lawyers; Rated "A/V" by Martindale-Hubbe.
- Board Certified Civil Trial Lawyer, The National Board of Trial Advocacy (Continuously re-certified since 1988: 1993, 1998 and 2003).
- Senior member of the Thompson G. Marsh American Inn of Court, The American Inns of Court, President, 2004 - 2005; Alfred C. Harrell Award, in recognition of professionalism, service and excellence 1999 - 2000.
- Special Assistant Disciplinary Counsel, State of Colorado, Supreme Court Disciplinary Counsel - 1991 to 1996
- Colorado Trial Lawyers Association, member; Board of Directors 2000 - 2004.

- President's Circle, American Association of Justice (formerly ATLA, member since 1980).
- American, Colorado, Denver, Michigan Bar Associations
- Instructor & Diplomate - National Institute of Trial Advocacy
- Thursday Night Bar Volunteer, Pro Bono Award 1985

## Notable Verdicts and Cases

- \$10.1 Million jury verdict, *Bargai v. Carlson*, 2006CV1550, Denver District Court, Colorado, June 18, 2007.
- \$8.3 Million jury verdict *Grigg v. Wintergreen*, CL-03-9452, Circuit Court for Albermarle County, Virginia, July 16, 2004.
- *Amicus curiae*, for the prevailing party (plaintiff) *Cooper v. Aspen*, 48 P.3d 1229 (Colo. 2002)
- \$1.4 Million jury verdict, *Nguyen v. Stecher*, 01 CV 2541 Arapahoe County District Court (6/27/02)
- *Amicus curiae* for the prevailing party (prosecution) *People v. Hall*, 999 P.2d 207 (Colo. 2000).
- \$6.2 Million jury verdict, *Hoar v. Great Eastern Resort*, 506 S.E. 2d. 777 (Va. 1998)
- \$2.4 Million jury verdict, *Ulissey v. Shvartsman*, 61 F.3rd 805 (10th Circ. 1995).
- Attorney discipline, Respondent suspended, *People v. Watson*, 833 P. 2d 50 (Colo. 1992).
- Non-settling defendant's damages, *Wong v. Sharp*, 734 F. Supp. 943 (D. Colo. 1990).
- Representation of blind vendors, *Hudson v. Boxer*, 632 F. Supp. 1569 (D. Colo. 1986)
- Plaintiffs' counsel, in three mass disaster cases: Glenwood Springs propane explosion, *Joslin v. RMNG*, Teller lift failure, *Mills et al. v. Ralston, et al.*, Steamboat Springs natural gas disaster.

## Publications - Peer Reviewed Articles

James H. Chalath with Eric Samler and Christopher P. Koupal, *Ski Law in Colorado: The Timorous No Longer Stay at Home*, 31 THE COLORADO LAWYER 211 (February, 2002).

with Linda J. Chalath, *Restitution in Criminal Actions: Considerations for Civil Trial Lawyers*, TRIAL TALK, Oct./Nov. 2001 at 40 - 41 (Colorado Trial Lawyers Assn.).

with Linda J. Chalath, *Ski Law for Beginners, Intermediates, and Experts*. TRIAL MAGAZINE, Aug. 2001 at 26 (Journal of the Association of Trial Lawyers of America).

*Liability of Skier for Injury to Another Skier* 46 PROOF OF FACT 1 (West's 1998).

*Liability of Ski Area Operator for Skiing Accident*, 45 PROOF OF FACT 115 (West's 1998).

*Colorado Ski Law*, 27 THE COLORADO LAWYER , No. 2, at 5-18 (February 1998).

JACOB A. STEIN, CLOSING ARGUMENT, THE ART AND THE LAW, §331 Jury-Function (Clark Boardman Calahan 1995).

*The Constitutional foundations of Modern American Tort Law*, 16 THE COLORADO LAWYER 970 (September 1987).

with Lea Kroll, *The Development of the Standard of Care in Colorado Ski Cases*, 15 THE COLORADO LAWYER 373 (March 1986).

*Ski Collision and Ski Equipment Cases*, 34 TRIAL TALK 303 (October 1985).

with Feurhelm, *From Wright to Sunday and Beyond*, 4 THE UTAH LAW REVIEW 885 (1985).

*Michigan's Ski Law*, 63 THE MICHIGAN BAR JOURNAL 355 (May 1984).

*Continuing Changes in Colorado's Ski Law*, 13 THE COLORADO LAWYER 407 (March 1984).

*Colorado Ski Act Update*, 10 THE COLORADO LAWYER 1611 (July 1981).

*Ski Tips for Attorneys*, 9 THE COLORADO LAWYER 452 (March 1980).

## Publications - Non-Peer Reviewed Professional Articles

James H. Chalats, "\$1.5 Million settlement in Utah skier collision case, *Kotun v. Howe*" Utah Association for Justice (August 2008).

with Linda J. Chalats, *The Nine Commandments of Malpractice Prevention*, 22 TRIAL LAWYER 183-189 (1999).

"Expert Testimony the Dancing Ballerina" 7 THE EXPERT WITNESS JOURNAL No. 2 (February 1995).

*\$2,150,000 Verdict - General Negligence - Skiing Accident* , 9 NATIONAL JURY VERDICT REPORTER 12 (November 1994).

*Summary Judgment based on the Colorado Ski Act*, 43 TRIAL TALK 32-33 (July/August 1994).

*Structured Settlement Reached in Skier/Skier Collision* 40 TRIAL TALK 169-170 (June 1991).

with Stephen C. Kaufman, *Judge Arraj Clarifies Comparative Negligence Statute, Case report: Wong v. Sharp*, 39 TRIAL TALK 154 (June 1990).

Publisher, SKI SAFETY NEWS (1989 - 2000).

*Two Skiers' Collision on Slopes = \$242,000 - 20% Comparative Negligence in U.S. District Court for Colorado* 37 TRIAL TALK 120-121 (April 1988).

"Report of the Judicial Poll Committee," *The Proclamation*, First Judicial District Bar Association Newsletter, Vol. 3, No. 3, September 1986.

*Instructions for the Ski Instruction Case*, 35 TRIAL TALK 18, April 1986.

"In the Wake of Tragedy the Time Has Come for Safety," *Rocky Mountain News*, December 20, 1985, p. 101.

*\$143,380 Verdict in Ski Injury Case*, 33 TRIAL TALK 30, July 1984.

*Colorado Ski Safety Act--Presumption of Skier's Negligence Held Unconstitutional*, 32 TRIAL TALK 25, November 1983.

*Ski Law*, SKI AREA MANAGEMENT Vol. 21, No. 3 (National Ski Areas Assn., May & June 1983).

*The Changing Role of the Ski Patroller*, THE NATIONAL PATROLLER (The National Ski Patrol System, Inc., Winter 1982).

*Law and Computers*, 29 TRIAL TALK 27, July 1980.

## Web Based Content

[www.skilaw.com](http://www.skilaw.com)

[www.skisaftey.com](http://www.skisaftey.com)

[www.chalatlaw.com](http://www.chalatlaw.com)

## Teaching Positions - Accredited Presentations

- "Civil Law Practice, Jury Trials and Damage Awards in the United States," and "Ski Accident in the United States" SKILEX February 2008, Tarvisio/Udine, Italy, February 2008.
- 3rd & 4<sup>th</sup> Annual Conferences, Recreation & Adventure Program Law & Liability April 2005 & 2006.

- Ski Law in the United States, Law Education Institute, January 7, 2005, Snowmass, CO.
- How to Try a Medical Malpractice Case in Colorado, Colorado Bar Association Continuing Legal Education, April 1, 2004.
- "Avalanche Liability Law & Ski Law in the United States, A Practical Guideline to Ski Accident litigation for non-U.S. Attorneys" SKILEX 2004, Obergurgl/Sölden Austria. March 21, 2004.
- Civil Litigation Update, Colorado Bar Association Continuing Legal Education, September 19, 2003.
- Ethics 2001 Conference, December 7, 2001, Denver, Colorado, Segment: Nine Commandments of Malpractice Prevention.
- Faculty, "Preventing Legal Malpractice," Colorado Bar Association Continuing Legal Education & Seabury and Smith, January 5<sup>th</sup>, 19<sup>th</sup> and 26<sup>th</sup> 2001.
- Faculty, Recreational Tort Law, Colorado Tort law update (Continuing Legal Education in Colorado) October 25, 2000.
- Faculty, Current Topics in Legal Ethics, Colorado Continuing Legal Education Seminar, Boulder, Colorado, University of Colorado School of Law (September 1999).
- The Nine Commandments of Malpractice Prevention, National Continuing Legal Education Seminar, Vail, Colorado, Practicing Law Institute (January 1999).
- American Inns of Court, Thompson G. Marsh Inn, Lead defense counsel, moot court presentation, *Jones v. Clinton* (Feb. 1998).
- Faculty, LEX LEGIS, Avoiding Malpractice - "The Nine Commandments of Avoiding Legal Malpractice" - December 1997.
- Faculty, NATIONAL INSTITUTE FOR TRIAL ADVOCACY, 1995- 1996.
- National Business Institute: "Trial Advocacy for the Occasional Litigator" May 1995.
- Faculty, National Institute of Trial Advocacy, Western Regional Session 1994, 1995.
- "Persuasive Evidence in a Recreational accident Case," Faculty Sports Injury and the Law, American Trial Lawyers of America, Accredited: Newport Beach, California, February 21, 1986.
- "Computer Assisted Legal Research," Accredited, Denver Bar Association, March 15, 1982.
- "Problems and Solutions in Representing the Plaintiff in a Ski Case," Accredited, Colorado Trial Lawyers Association, April 16, 1982.
- "Ski Law," Accredited by the Colorado Supreme Court Board of Continuing Legal Education and presented to the bar associations for: Arapahoe County, Boulder County, Denver County, Pitkin County, Routt County, Weld County, Southwest Colorado, Ninth Judicial District, Fourteenth Judicial District, Texas Trial Lawyers and Dartmouth College bar associations.

## Teaching Positions - Non-Accredited Presentations

- "Understanding Ski Law," with Dave Hansen, National Ski Patrol Annual National Seminar, Crested Butte, Colorado, March 1983; Ski Patrol of Jackson Hole, Wyoming, 1985; with Peter

- Rietz, Winter Park Ski Patrol, 1998.
- Adjunct Professor - University of Denver College of Law 1978-80, 1985-87.
- "Physician's Moot Court," with the Honorable Sandra I. Rothenberg, Dr. Robert Miles, C.U. Medical School, Peter Pryor, Esq., April 1985.
- "How to be an Effective Expert Witness," Accredited by the Colorado Board of Continuing Medical Education, Spalding Rehabilitation Hospital, July 1983.

## Community Service

- First Judicial Nominating commission, 2002 - 2007, appointed by Mary Mullarkey, C.J., Colorado Supreme Court.
- Colorado Bar Association, High School Mock Trial Attorney Coach. Lakewood HS, 2005 & 2006; Evergreen HS 2007 & 2008. Regional winners, 2005, 2007, 2008. State Champion, 2007, 10<sup>th</sup> at Nationals.
- Colorado Ballet, Board of Trustees (1995- 1996). Fund-raising.
- Soda Creek Property Owners Assn., Director (1991-95). Participation in community traffic safety planning for major re-design of nearby highway intersection, enforcing covenants, and participating in community wide open space acquisition.
- Trustee, Congregation Beth Evergreen, Evergreen, CO, 1993 - 2001. Worked cooperatively to fund and purchase land, plan, permit, construct and staff first Synagogue in Jefferson County, Colorado.
- Jefferson County Juvenile Review Board, Member (1992-1994).
- Judge - Regional Finals, National Student Trial Advocacy Competition, ATLA 1986, 1987, 1990, Presiding Judge 1992, 1993, 1994.
- Boy Scouts of America, volunteer in various leadership positions.
- Jeffco & Mountain Area Midget Football Assoc., Advisory board, team manager, Board of Directors (2001 - present).

## Press and Media Appearances

- National Television: Evening News with Dan Rather, CBS; The Today Show, NBC; World News Tonight, BBC; panelist w/ moderator Chris Matthews, MSNBC;
- Local Television: with Professor Jan Laitos, segments for @Issue, 9 News; interviews for Denver's 7 and News4.
- Radio: Colorado Public Radio (Colorado Matters, 2/24/06) National Public Radio, KOA, KHOW, BBC.
- Print: Newsweek, The Denver Post, The Rocky Mountain News, The Guardian, The Los Angeles Times, The New York Times, The Boston Globe.

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