David C. Roth

Partner

Denver

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Email

Service Focus

- Employee Defection and Trade Secrets
- Employment Discrimination and Harassment
- Litigation and Trials

Overview

David helps employers of all sizes from across a range of industries with many aspects of employment law. He litigates discrimination, retaliation, unfair competition, and workplace-based tort claims; protects trade secrets and enforces covenants not to compete; and advises and counsels his clients on compliance and preventative solutions.

David recognizes that the best legal representation occurs when an attorney understands a client's objectives. Accordingly, David collaborates with each client to garner a unique appreciation of its needs and goals and craft an appropriate legal solution. Because he also understands the value in minimizing risk, David helps ensure his clients' compliance with federal, state, and local employment laws by creating and reviewing policies and procedures, advising on day-to-day employment questions, and educating decision makers on recent legal developments. Through embracing the idea of ongoing advice and counsel, David is able to build deep and meaningful relationships with those he serves to help minimize the likelihood of litigation or, if litigation occurs, maximize the chance of success.

When lawsuits do arise, David has successfully and aggressively litigated in both federal and state courts and before administrative agencies and arbitral forums such as the Equal Employment Opportunity Commission, the Colorado Civil Rights Division, and the Financial Industry Regulatory Authority (FINRA). He has both first- and second-chair experience at bench trials and arbitration hearings.

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Prior to joining Fisher Phillips, David clerked for the Hon. Elizabeth L. Harris on the Colorado Court of Appeals. During law school, he interned for both the Hon. Kristen L. Mix on the United States District Court for the District of Colorado and the Hon. Nancy E. Rice, Chief Justice of the Colorado Supreme Court. He also earned a certificate in workplace law and served as the Comments Editor for the *Denver University Law Review*.

Recent Experience

Experience

- Obtained numerous favorable arbitration outcomes that protected a financial services client's trade secrets from misappropriation by competitors and/or former employees.
- Helped to achieve multiple instances of injunctive relief enforcing non-compete agreements and protecting confidential information.
- Successfully represented an international restaurant chain in federal court in a multi-million dollar disability discrimination and retaliation lawsuit.
- Attained dismissal with prejudice in federal court for a lawsuit alleging age and sex discrimination against a banking and financial services client.
- Achieved a complete defense finding in a bench trial concerning a breach of contract claim brought against a national retailer.
- Successfully defended a national fast-food chain against claims of discrimination, assault and battery, intentional infliction of emotional distress, and other related torts.
- Represented a national telecommunications company against claims of disability discrimination.
- Obtained multiple "no reasonable cause" findings before the EEOC and related state agencies, often effectively ending plaintiffs' claims for discrimination,

Credentials

Education

- J.D., 2015, University of Denver Sturm College of Law
- B.A., 2010, magna cum laude, Ohio State University

Bar Admissions

- Colorado

Court Admissions

- Colorado Supreme Court
- U.S. District Court for the District of Colorado

Recognitions

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- Recognized in *The Best Lawyers in America*, Ones to Watch (2022 - 2025)

Affiliations

Professional Activities

- Member, Colorado Bar Association
- Member, Denver Bar Association

Community Activities

- Secretary and member of the Executive Board of Directors for IN!, The Colorado Initiative for Inclusive Higher Education
- Member, *Denver University Law Review* Advisory Board

Insights

NEWS 12/14/23

Fisher Phillips Elects 28 New Partners

Nazanin Afshar, Alba V. Aviles, Gregory Blueford, Raeann Burgo, Lyle M. Chan, Megan F. Clark, Jerry Paul Cline, Patrick M. Dalin, Meghan Delaney, Benjamin Dudek, Jason A. Fischbein, Christopher A. Gelpi, Lauren G. Goetzl, Greg Grisham, Brandon Kahoush, Aymara Ledezma, Kristina Leonhardt, Phillips L. McWilliams, Joel Moon, Justin Reiter, Lauren Roseman, David C. Roth, Caroline S. Scala, Marie Tedesco Scott, Phillip Simpler, Sarah Wieselthier, Connie Yang, John M. Polson

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NEWS 07/19/22

Denver Lawyer Discusses Colorado's New Limits on Restrictive Covenants

David C. Roth

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INSIGHTS 06/01/22

The Top 17 Workplace Law Stories from May 2022

Phillip C. Bauknight, Steven M. Bernstein, Raeann Burgo, Kathleen McLeod Caminiti, Tatiana S. Chiu, Brian J. Coughlin, Myra K. Creighton, Jeffrey M. Csercsevits, Patrick M. Dalin, Benjamin M. Ebbink, Scott Fanning, Jeffrey A. Fritz, Michael R. Greco, Marty Heller, Richard A. Millisor, Joshua D. Nadreau, Lisa Nagele-Piazza, Angelica M. Ochoa, Jack O'Connor, Ashton M. Riley, David C. Roth, Hannah Sweiss, Boris Sorsher, Shanon R. Stevenson, Travis Vance, David J. Walton, Sarah Wieselthier

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PUBLICATION 05/17/22

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Fisher Phillips Attorneys Offer a Five-Step Plan for Employers Navigating Colorado's New Noncompete Ban

Michael R. Greco, David C. Roth

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INSIGHTS 05/11/22

Colorado Set to Severely Limit Non-Competes and Other Restrictive Covenants: A 5-Step Action Plan for Employers

Michael R. Greco, David C. Roth

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EVENT 06/23/21

Demystifying FINRA for Credit Unions

Michael R. Greco, David C. Roth

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INSIGHTS 04/26/20

City And County Of Denver Issues "Stay at Home" Order (UPDATED)

David C. Roth

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INSIGHTS 04/23/20

The Top Non-COVID Workplace Law Stories You May Have Missed: March/April 2020

Samantha Sherwood Bononno, Andrew C. Crane, Ryan R. Jones, Nicole Kamm, Richard R. Meneghello, Joshua D. Nadreau, Tyler T. Rasmussen, David C. Roth, Hannah Sweiss

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INSIGHTS 03/06/20

New Colorado Wage Laws Include Posting, Distribution, And Translation Requirements

David C. Roth

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EVENT 03/03/20

Covering All Bases: Hot Topics in Labor & Employment Law

Jocelyn Campanaro, Micah Dawson, Todd A. Fredrickson, Darin L. Mackender, Angelica M. Ochoa, David C. Roth, Danielle S. Urban, Brett M. Wendt, Kristin R.B. White

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