



Brett M. Wendt

Partner

Denver

t: 303.218.3635

f: 303.218.3651

Email



Service Focus

- Litigation and Trials

Industry Focus

- Cannabis

Overview

Brett Wendt is a partner in the Denver office of Fisher Phillips. He focuses his practice on representing national, regional and local clients in all matters related to business and employment law, and has tried dozens of cases in both federal and state courts.

Brett's practice encompasses every aspect of employment law: day-to-day counseling, training, administrative agency proceedings, labor and litigation. Due to his ability to immediately evaluate claims and his expertise in defending a broad range of employment-related disputes, employers regularly seek his counsel during all phases of the adversary process, beginning with the receipt of the initial complaint, during the investigative stage, and continuing through trial, if necessary. He routinely works with clients in resolving discrimination, wage and hour class actions (including FLSA collective actions), civil rights, hostile work environment, FMLA, retaliation, noncompetition agreements and wrongful termination matters.

In addition to his 20+ years in private practice, Brett has also served as in-house counsel, most recently as Executive Vice President and General Counsel of a publicly traded company with a portfolio of high quality service providers for the regulated cannabis industry. Additionally, he previously served as Vice President and General Counsel for the nation's largest underground utility locate company, where he was responsible for managing outside counsel in 26 states with a focus on efficient resolution and litigation avoidance.

Recent Experience

Experience

- Favorable outcome at trial for a regional oil and gas engineering consultant under the FMLA and PDA.
- Successfully represented franchisee of an American motorcycle manufacturer in arbitration against franchisor.
- Obtained summary judgment for regional fire protection and alarm installation company on claims of pregnancy discrimination and retaliation.
- Favorable settlement of FSLA collective action wage and hour lawsuit for publicly traded company.
- Dismissal of EEOC charge of discrimination based on fraudulent and false claims of harassment and retaliation for hospitalists medical group.
- Resolution of age-related and retaliation claims for one of the largest nonprofit organizations in the world that is dedicated to releasing children from spiritual, economic, social and physical poverty.
- Dismissal of lawsuit based on race discrimination and wage and hour violations for national beverage company.
- Obtained preliminary injunction to enforce and protect company's trade secrets and proprietary confidential information.
- Positive outcome in a discrimination/ESL claim on behalf of one of the nation's largest organic dairies.
- Dismissal of claim for discriminatory treatment based on race and in retaliation for reporting alleged violations of the company's Employment Handbook related to wage and hour concessions, vacation policies and PTO programs, for an international call center.
- Representation of a national health care provider for alleged violations of internal policies and unfair treatment related to pregnancy discrimination.
- Counsel to a non-profit educational institution related to alleged claims of wrongful termination based on a pregnancy and in violation of the FMLA.
- Representation of an international oil and gas company for alleged wrongful discharge based on race and retaliation.
- Successful resolution of class action wage and hour lawsuit against national re-insurer.
- Modification of policy manuals for national and regional employers in response to the governance and implementation of medical marijuana and legalized marijuana laws.
- Prevailed in preliminary injunction related to enforcement of non-competition agreements for a regional wholesale produce distributor.

- Counsel and resolution of a hostile work environment claim for an international fire and water damage restoration and dry cleaning company.
- Analysis and implementation of WARN Act policies for a regional financial institution.
- Implementation and counsel related to the furlough of employees for a regional bio refinery company.

Credentials

Education

- J.D., 1998, University of Denver Sturm College of Law
- B.A., 1995, cum laude, University of New Mexico
- A.A., 1989, Deans List, Santa Monica College

Bar Admissions

- Colorado

Court Admissions

- U.S. Court of Appeals for the Eleventh Circuit
- U.S. Court of Appeals for the Tenth Circuit
- U.S. District Court for the District of Colorado
- U.S. District Court for the Middle District of Florida
- U.S. District Court for the Northern District of Florida
- U.S. District Court for the Southern District of Florida
- U.S. Supreme Court

Affiliations

- Active Member, Colorado Bar Association, Litigation; Employment and Labor Law; Business Law; and Cannabis Law Committees
- Council Member, USA Triathlon, Rocky Mountain Region, July 2010-July 2012
- Board Member, USA Ski Cross, July 2011-February 2016
- Colorado State Chair, Claims and Litigation Management Alliance, March 2009-March 2012
- Colorado State Representative, Defense Research Institute, August 2009-August 2011
- Board Member, Colorado Defense Lawyers Association, July 2009-August 2011

Insights

New Law Voids Most Wyoming Non-Compete Agreements: Key Takeaways for Employers

James S. Bradbury, Adrian Salmen, Brett M. Wendt, Francis Wilson

[Read more →](#)

INSIGHTS

05/01/23

Top Workplace Law Stories You May Have Missed from April 2023

Cheryl L. Behymer, Amanda M. Blair, Risa B. Boerner, Raeann Burgo, Melissa Camire, Micah Dawson, Stephen R. Gee, Usama Kahf, Matthew R. Korn, Karen L. Odash, Courtney Leyes, Richard R. Meneghello, Catharine Morisset, Lisa Nagele-Piazza, Raymond W. Perez, Justin Reiter, Drew Tate, J. Hagood Tighe, Brett M. Wendt, Alexander A. Wheatley, Jeremy F. Wood

[Read more →](#)

INSIGHTS

04/13/23

4 Trends for Cannabis Industry Employers to Track in 2023

Lisa Nagele-Piazza, Catharine Morisset, Brett M. Wendt, Alexander A. Wheatley

[Read more →](#)

NEWS

04/14/22

Co-Chair of Firm's Cannabis Taskforce Talks to Law360 About Legalization and Testing in the Workplace

Brett M. Wendt

[Read more →](#)

NEWS

11/05/20

Denver Partner Reacts to the Post-Election Marijuana Legalization Trend

Brett M. Wendt

[Read more →](#)

NEWS

10/15/20

Partner Talks to SHRM About How Marijuana Legalization Efforts Might Impact Employers

Brett M. Wendt

[Read more →](#)

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

[Read more →](#)

PUBLICATION

02/18/20

What the Construction Industry Should Know About Building Employment Policies and Procedures Around Medical Marijuana Laws

Brett M. Wendt

[Read more →](#)

NEWS

12/17/19

Firm Welcomes Brett Wendt as a Partner in the Denver Office

Brett M. Wendt

[Read more →](#)

NEWS

12/04/19

Fisher Phillips Continues Momentum in Denver with Addition of Skilled Trial Lawyer

Brett M. Wendt

[Read more →](#)