

ATTORNEY

Daniel C. Wennogle

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Dan does more than just litigate. He learns his clients' industries to understand the multi-dimensional issues they face. Then he works to provide them with timely, practical advice, and results. As a member of the firm's Litigation Section, Dan focuses on construction and property rights matters, including contract disputes, delay claims, lien and bond claims (public and private), construction defect claims, quiet title actions, easement disputes, and condemnation. A strategic and enthusiastic litigator, Dan combines thorough preparation with crisp presentation to keep your case moving towards an efficient and effective resolution.

Dan also counsels and advises contractors regarding contract provisions, helps prepare and assess claims, and advises clients in the unmanned vehicles industry, including unmanned aircraft systems (drones). He works to resolve disputes prior to, and often without, litigation. Committed to his clients and their business concerns, Dan works hard to resolve disputes and be their advocate when litigation becomes necessary.

In his spare time, Dan likes fly-fishing, playing guitar, and coaching pole-vaulters.

REPRESENTATIVE MATTERS

- Prevailed on multiple motions to compel arbitration on Colorado construction projects.
- Pursued favorable settlement for claimant on public transportation

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AREAS OF CONCENTRATION

Business Litigation
Construction
Government Contracts
Real Property
Unmanned Aircraft Systems &
Autonomous Vehicles

EDUCATION

University of Denver, J.D., *Water Law Review*, Business Editor
University of Montana, M.A.
Princeton University, B.A.,
Track & Field Team, Captain

CREDENTIALS

5280 Magazine Top Construction
Lawyer 2021
Best Lawyers®: Commercial
Litigation and Litigation -
Construction, 2023 - 2024

project in Colorado.

- Advising UAV companies on regulatory and licensing issues in collaboration with intellectual property and corporate attorneys.
- Negotiated favorable six figure settlement for North Dakota contractor on claims for payment against North Dakota municipality.
- Defeated over \$5 million of claims by a subcontractor claimant in an arbitration about alleged delays and changes to a power plant construction project.
- Represented subcontractor against allegations of defective design and construction on major sports stadium.
- Defended national homebuilder in dispute regarding construction materials containing potentially hazardous substances.
- Prevailed at the Court of Appeals on an issue involving the priorities of various lien rights on development property in Chaffee County, Colorado.
- Drafted or revised construction contracts for general contractors on large commercial construction projects.
- Counseled residential developer in expedited effort to remove multiple liens from title using statutory bonding procedure and in pursuing indemnity claim against a defaulting general contractor.
- Representing client in multiple residential construction defect matters involving shifting soils and water-related issues.
- Successfully resolved multiple access easement and ditch easement disputes in the Rocky Mountains and western Colorado, including claims for preliminary injunction and claims to quiet title.

PUBLICATIONS AND ARTICLES

- Co-Author
"Update on the Federal Contractor Vaccine Mandate"
Moye White Blog, February 2023
- Co-Author
"Mechanic's Lien Checklist (CO)"
LexisNexis / Practical Guidance, March 2022
- Co-Author
"Disappearing Data: Avoid Losing Electronic Information to Avoid Losing the Case"
Construction Executive, January 2022

Law Week Colorado People's

Choice "Barrister's Best"

Construction Defect Defense

Lawyer 2021

Martindale-Hubbell Rating: AV®

Preeminent™ (highest)

National Law Journal Trailblazer:

Construction 2020, Litigation

2023

AFFILIATIONS

Colorado Bar Association

Construction Section, Past

Chair; Legislative Liaison

Mending Faces, Former

Associate Board Member

University of Denver, Sturm

College of Law Mentor

Program, Mentor

ADMITTED

Colorado

U.S. Bankruptcy Court -

District of Colorado

U.S. Court of Appeals,

Tenth Circuit

U.S. District Court -

District of Colorado

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- Co-Author
 "Mapping The Federal Contractor Vaccine Mandate: Legal Challenges and Practical Advice for Employers with Unvaccinated Employees"
Moye White Blog, December 2021
- Quoted
 "Construction Continues While Colorado Stays Home"
Law Week Colorado, April 2020
- Co-Author
 "A Breakdown of Stay at Home Orders by Locality for the Construction Industry"
Colorado Builder Magazine, April 2020
- Co-Author
 "What Can You Do When COVID-19 Impacts Your Construction Site?"
Moye White Blog, April 2020
- Co-Author
 "Whistleblowing on Social Distancing: How Ignoring Regulations Could Get You Sued or Fined"
Moye White Blog, March 2020
- Co-Author
 "The Long Reach of the Six-Foot Rule: Social Distancing in the Construction Industry"
Colorado Builder Magazine, March 2020
- Quote
 "FAA's Final Drone Rule Cleared for Takeoff"
Law Week Colorado, July 2016
- Author
 "Construction Laws and Customs: Colorado"
Practical Law (Thomson Reuters), March 2016
- Quote
 "Drone Practices Put New Spin on Old Legal Issues"
Law Week Colorado, October 2015
- Author
 "Drones and utility easements: Who has the airspace rights?"
Colorado Real Estate Journal, September 2015
- Author
 "Summary of revised AAA construction industry rules, procedures"
Colorado Real Estate Journal, September 2015
- Author
 "Lien waivers in Colorado: How effective are they?"
Colorado Real Estate Journal, September 2015

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SPEAKING ENGAGEMENTS AND PRESENTATIONS

- Presenter
“Construction A-Z Part II: Soils and Site Selection”
CBA CLE, December 2020
- Panelist
“What Else Not to Ask in an Interview: The Impact of the New Colorado Equal Pay for Equal Work Act”
Moye White Construction Seminar, March 2020
- Moderator
“Climate Change Regulation and its Impact on the Construction Industry”
Moye White Construction Seminar, December 2019
- Presenter
“How a Project Document Becomes “Exhibit A”: What Your Project Managers Need to Know About Evidence and the Legal Process”
Moye White Construction Seminar, September 2019
- Presenter
“UAS for Utilities: Regulatory and Legal Issues”
Stinson LLP Webinar, October 2017
- Panelist
“What Your Lawyer Can Do For Your Drone Company Today”
Drone Focus, Fargo, ND, May 2017
- Panelist
Legal/Insurance Panel, “The Law and Liability”
Rocky Mountain Unmanned Symposium, Denver, CO, March 2017
- Presenter
“Drones and Utility Easements: Who Has the Airspace Rights?”
UAS Utilities Conference “UAS for Utilities: Building a Case for Drones and UAVs”
sponsored by Kinetic and Burns & McDonnell, Kansas City, MO, September 2016
- Presenter
“Drones in the Construction Industry”
Minnesota State Bar Association, September 2016
- Presenter
“Pass-Through Claim Agreements: An Essential Tool in the Contractor’s Toolbox” Construction Seminar,
Stinson LLP, July 2016
- Presenter
“Delay Damages in Construction: Liquidated Damages”
Construction Seminar, Stinson LLP, April 2016