

# LAW WEEK

## COLORADO

## Law Firm Alliance Sprouts Naturally From Rapport

Denver firms Haddon Morgan & Foreman and Temkin Wielga & Hardt collaborate on environmental and natural resource cases.



(FROM LEFT) JEFFREY PAGLIUCA, SCOTT HARDT AND TY GEE IN THE FOYER OF THE CRAWFORD HILL MANSION, WHERE HADDON MORGAN AND FOREMAN OPERATES. HARDT'S FIRM WILL MAINTAIN ITS OFFICE LOCATION IN LOWER DOWNTOWN DENVER.

PHOTO: LAW WEEK, DOUG CHARTIER

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LAW WEEK COLORADO

For two well-known Denver law firms, the strategy to compete with BigLaw isn't to merge and grow but to team up while staying small.

In a move the firms are calling "Capitol Hill meets LoDo" in reference to their office locales, Haddon Morgan & Foreman and Temkin Wielga & Hardt announced an alliance Aug. 13 to serve environmental clients.

It's not a merger but rather an agreement to streamline co-counsel work between the two firms where Temkin Wielga & Hardt generally handles environmental law counsel and Haddon Morgan & Foreman, which focuses on criminal defense and civil dispute litigation, takes those cases to trial when needed. The firms will otherwise maintain their same office locations, contacts and practices.

"Both of these firms are the best in the business at what each firm does," said Jeffrey Pagliuca, a member with Haddon Morgan & Foreman. He said Temkin Wielga & Hardt are "as good as it gets for environmental counsel and advice" and his firm is "as good as it gets for trial work."

"The whole point of having the alliance as opposed to joining forces is that we have

our own different personalities and cultures, but they are consistent with one another," said Ty Gee, member with Haddon Morgan & Foreman. "So the idea was neither of us wanted to merge with another firm, but we wanted to work with other firms."

Gee said the alliance addresses clients' increasing concern over costs and aims to make its targeted services less expensive than those from a BigLaw firm, which usually has to support many other departments besides environmental and natural resources law.

If one of Temkin Wielga & Hardt's clients needs to go to trial, there's no longer a search for a firm to take on the case in court.

"It's a simple phone call, and boom, you've got trial lawyers working on the case," Pagliuca said. Going the other direction, if a Haddon Morgan & Foreman case has a complicated environmental law question, the firm will tap Temkin Wielga & Hardt's expertise on an as-needed basis.

Pagliuca said the firm is already working in this capacity on a couple environmental and natural resource cases with those teams from each office meeting once a week. Clients have responded favorably to the idea so far. Pagliuca added that he's unaware of any law firms currently employing an identical model.

The firms had crossed paths several times in the past when Temkin Wielga & Hardt's clients needed environmental white-collar criminal defense services. The alliance idea germinated in early 2015 during talks between partners Pamela Robillard Mackey and Elizabeth Temkin, who knew each other from their time as associates with Davis Graham & Stubbs.

The firms then researched the ethics and mechanics of the arrangement, including document co-management. Then came meetings over drinks to strengthen the crossover rapport between the attorneys.

"It was pretty clear from the beginning that we were all going to be able to get along with each other," Pagliuca said.

Scott Hardt, a partner with Temkin Wielga & Hardt, said confidentiality was one of the main issues addressed prior to the alliance. Part of what streamlines the firms' collaboration is that they now have a mutually accessible database.

But as each firm continues to serve clients independently of the other, they only share files and data associated with the cases they're actively collaborating on; for clients the firms aren't sharing, confidentiality is preserved, Hardt said.

Hardt said that it's always a "touchy"

matter when a client hires one firm, who then brings in another firm, and the in-house counsel suddenly must manage them both. But from the client's perspective, the two firms will operate as a single entity in a given matter.

Hardt said that with his firm's clients, for example, their matter will still consist of a single letter of engagement, single point of contact and uniform billing through Temkin Wielga & Hardt even as the other firm's attorneys join the case.

In the past, each firm has resisted interest from large firms to come in-house. Hardt said that they're not "anti-big firm" at Temkin Wielga & Hardt, but their "shop" has preferred to maintain a small-firm structure that supports a targeted niche in counsel in environmental law.

"We've done a fair amount of litigation over the years," Hardt said. "But what I've found works absolutely best in environmental litigation cases is you take a very small group or an individual who has the substantive knowledge and pair them with a top-gun trial lawyer that can try any kind of case on the planet, and you end up with a team that is sort of this magical mix that is super efficient." •

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