

Alan Friedberg

Of Counsel

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Alan is a gifted trial attorney who brings a wealth of experience, knowledge, and wisdom to his interactions with clients, opposing counsel, judges, and juries.

Alan's Core Practices

Securities Litigation + Arbitration | General Commercial Litigation | Appeals

Alan has been practicing law for more than 40 years and has argued cases before state and federal courts at all levels, including the U.S. Supreme Court. His practice focuses on securities litigation, general commercial litigation, and appeals.

Securities Litigation + Arbitration

Alan represents both investors and brokers in all aspects of securities litigation, arbitration, and administrative procedures. He counsels clients on a broad range of securities and financial matters, including Financial Industry Regulatory Authority (FINRA) investigations, Securities and Exchange Commission (SEC) enforcement actions, derivative cases, and cases concerning breach of fiduciary duty, churning, conflicts of interest, failure to conduct due diligence, fraud, market manipulation, mismanagement, sales of unsuitable securities, unauthorized trading of investments or uses of margin, and valuation.

General Commercial Litigation

Alan represents individuals and businesses in commercial disputes in state and federal courts and in arbitration forums. His caseload has included a wide variety of claims, including those related to corporate and partnership disputes, insurance, legal malpractice, and real estate.

Appeals

Alan maintains an active appellate practice, having argued cases before the Colorado Court of Appeals, the Colorado Supreme Court, and the United States Supreme Court. His appellate experience spans the full spectrum of his litigation work, bringing the same depth of advocacy to complex appeals that he brings to the trial court level, including delivering the oral argument before the U.S. Supreme Court in the landmark arbitration case *Howsam v. Dean Witter Reynolds, Inc.*, 537 U.S. 79 (2002).

Relevant Work Experience



Prior to joining BHGR, Alan spent 36 years at Denver-based Pendleton, Friedberg, Wilson & Hennessey P.C. In addition, he served in the U.S. Army Judge Advocate General's Corps, where he prosecuted and defended hundreds of courts-martial. Alan completed paratrooper training at the U.S. Army Airborne School and completed tours of duty in Colorado and Vietnam, earning a Bronze Star. After his military service, he clerked for the Honorable Robert H. McWilliams at the 10th Circuit Court of Appeals.

Education

J.D., Yale Law School

B.A., University of Virginia , *with honors, Phi Beta Kappa*

Admissions

- Colorado
- U.S. Supreme Court
- U.S. Court of Appeals, Tenth Circuit
- U.S. Court of Appeals, Federal Circuit
- U.S. Court of Claims
- U.S. District Court, District of Colorado

Related Practices

- Litigation
- Insurance Coverage

Associations

- Colorado Bar Association
- Denver Bar Association
- Boulder County Bar Association
- Colorado Trial Lawyers Association (Commercial Law Editor for Trial Talk, 1990-2017)
- Public Investors Advocate Bar Association (PIABA)

Presentations

Alan was an adjunct professor for the University of Denver School of Law. He has also been an instructor at the National Institute for Trial Advocacy (NITA) and has presented at continuing legal education seminars.

Honors + Awards

Martindale-Hubbell Peer Review Rating AV® Preeminent™ 5.0 out of 5

Avvo Rating: 10.0 out of 10

Colorado Super Lawyers (Business Litigation) (2006-2020)

Colorado Super Lawyers – Corporate Counsel Edition (2008-2016)

Published Cases

Mercantile Adjustment Bureau v. Flood, 278 P.3d 348 (Colo. 2012).

Barrett v. Inv. Mgmt. Consultants, Ltd., 190 P.3d 800 (Colo. App. 2008).

Howsam v. Dean Witter Reynolds, Inc., 537 U.S. 79 (2002) (Alan made the oral argument in this case to the U.S. Supreme Court).

Keller Cattle Co. v. Allison, 55 P.3d 257 (Colo. App. 2002).

Johnston v. CIGNA Corp., 916 P.2d 643 (Colo. App. 1996).

In re Marriage of Wright, 841 P.2d 358 (Colo. App. 1992).

O'Connor v. R.F. Lafferty & Co., 965 F. 2d 893 (10th Cir. 1992).

Colorado Land & Res., Inc. v. Credithrift of Am., Inc., 778 P.2d 320 (Colo. App. 1989).

Colorado Inv. Servs., Inc. v. Hager, 685 P.2d 1371 (Colo. App. 1984).

A.R.A. Mfg. Co. v. Brady Auto Accessories, Inc., 622 P.2d 113 (Colo. App. 1980).

Pottern v. Bache Halsey Stuart, Inc., 589 P.2d 1378 (Colo. App. 1978).

Pro Bono

Alan acts as general counsel to the Rocky Mountain Synod of the Evangelical Lutheran Church on a pro bono basis. He has represented pro bono clients through referrals from Boulder County Legal Services, Colorado Legal Services, and Metro Volunteer Lawyers.

Out + About

When he is not practicing law, Alan enjoys spending time with his wife, adult children, and grandchildren. He is also an avid skier and cyclist who has participated in more than 20 Ride the Rockies Events. He also serves on the Denver Rotary Club Foundation's Board of Directors.