



# DAVIS GRAHAM

## JAMES R. HENDERSON PARTNER

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303.892.7317

### EXPERTISE

Appellate, Arbitration, CERCLA & State Equivalent Programs, Class & Consolidated Actions, Commercial Litigation, Environmental Law & Litigation, Natural Resources, Oil & Gas, Toxic Tort Litigation, and Trial

### EDUCATION

University of Denver Sturm College of Law, J.D., Order of St. Ives, 2012  
Yale University, M.A., 2009  
Life Pacific College, B.A., *magna cum laude*, 2002

### ADMITTED IN

Colorado, Montana, and Wyoming

Jim Henderson is a partner at Davis Graham & Stubbs LLP. Jim has extensive experience in complex commercial litigation, and he currently leads the firm's Natural Resources Litigation Group. Jim specializes in oil and gas litigation matters, including royalty class actions, surface-use disputes, contract disputes between producers and purchasers, mechanics' liens, and quiet title actions. He also represents clients in a wide variety of environmental matters, including CERCLA cost-allocation disputes, Clean Air Act and Clean Water Act citizen suits, and common-law land contamination cases. In addition, Jim has represented a diverse range of clients, from family-owned businesses to Fortune 500 companies, in general commercial litigation matters ranging from construction defect claims to product liability issues, contract and warranty disputes, and employment matters.

Outside of the courtroom, Jim is active in the community, serving on the Board of Directors for the Family Resource Center Association and Compassion First. He is a graduate of the Leadership Denver program (2021). Jim has been

active in pro bono representation of clients, including through participation in the U.S. District Court for the District of Colorado's Civil Case Pro Bono Panel. Jim currently serves as the Co-Pro Bono Coordinator for Davis Graham.

Jim is admitted to practice in the state courts of Colorado, Wyoming, and Montana, as well as the federal courts for the District of Colorado, the District of Montana, the U.S. Courts of Appeals for the Ninth and Tenth Circuits, and the U.S. Supreme Court. He has been named among the "Ones to Watch" in the area of Commercial Litigation by *Best Lawyers®*, an annual guide by publisher Woodward/White Inc. Jim has also been named Future Colorado Star in *Benchmark Litigation* twice.

Jim received his J.D. from the University of Denver Sturm College of Law, where he was the senior articles editor for the *Denver University Law Review*, a general editor for the University of *Denver Water Law Review*, and a member of the Moot Court Board. In addition, he interned for the U.S. Attorney's

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Office and the Honorable Wiley Y. Daniel of the U.S. District Court for the District of Colorado. Jim was also awarded a Public Interest Law Group Fellowship to work with a human rights agency in Phnom Penh, Cambodia.

Prior to law school, Jim served as an associate pastor at a church in Highlands Ranch, Colorado. He also attended graduate school at Yale University, where he served as a teaching fellow in the Political Science and International Studies departments.

**REPRESENTATIVE EXPERIENCE**

- Obtained a \$280 million judgment for a natural gas production company in dispute regarding the design and construction of a water treatment facility in West Virginia, and successfully defended judgment on appeal.
- Obtained a \$96 million jury judgment for a natural gas production company in a contract dispute, and successfully defended judgment on appeal.
- Represented a supermajor oil company in litigation involving approximately 100 plaintiffs alleging environmental property damages from historical copper smelting operations in matter that was ultimately resolved by the United States Supreme Court.
- Represented a supermajor oil company in CERCLA litigation concerning the remediation of a former uranium mine site on tribal land in New Mexico.
- Obtained favorable settlement for municipality in case involving claims of environmental contamination associated with a former landfill site.

- Obtained summary judgment on behalf of Fortune 500 mining company in real estate litigation dispute, and successfully defended judgment on appeal.
- Obtained a favorable verdict in a bench trial for an oil and gas production company in a royalty and mineral ownership dispute.
- Obtained summary judgment on behalf of a major automobile manufacturer in breach of warranty case, and successfully defended judgment on appeal.
- Obtained summary judgment on behalf of an oil and gas company in a mineral ownership dispute, and successfully defended judgment on appeal.

**PUBLISHED ARTICLES**

- "Settlement Should Never Be the Only Option," *National Law Journal*, (September 11, 2018)
- "Sidestepping Preemption: Generic Drug Litigation in the Aftermath of *Mensing*," 63 FED'N DEF. & CORP. COUNS. 52 (2013) (with Jeffrey R. Pilkington)