



DAVIS GRAHAM

JONATHAN W. RAUCHWAY PARTNER

jonathan.rauchway@davisgraham.com
303.892.7216

EXPERTISE

Environmental Law & Litigation, Oil
& Gas Litigation, Commercial
Litigation, Toxic Tort Litigation,
Natural Resources, Appellate

EDUCATION

Fordham University School of Law, J.D., 1997
Cornell University, B.A., 1994

ADMITTED IN

Colorado

Jon Rauchway is a partner in the Trial Group, the head of the Environmental & Public Lands Group, and a member of the firm's Executive Committee. He specializes in environmental litigation, including lawsuits based on common-law theories and cases involving CERCLA, the Clean Water Act, the Clean Air Act, and related state statutes. He also handles litigation involving nearly all aspects of the energy and mining industries, such as disputes over royalty payments, operating agreements, and ownership interests.

In addition to his work in the trial courts, Jon is an experienced appellate advocate, having argued appeals before the U.S. Courts of Appeals for the Second, Ninth, and Tenth Circuits, as well as state appellate courts in Colorado and elsewhere. For over a decade, he was a member of the Criminal Justice Act Panel for the U.S. Court of Appeals for the Tenth Circuit and appeared regularly before the Court during that period.

Prior to joining Davis Graham, Jon practiced at an international law firm in New York City and spent one year clerking for a U.S. District Judge in Dallas, Texas.

Jon currently serves on the Denver Botanic Gardens Board of Trustees. He has served on the boards of other non-profit organizations in the past, including The Urban Farm and the Colfax Community Network (former board chair), and two terms on the board of trustees for the Legal Aid Foundation of Colorado.

He has been recognized by Benchmark Litigation as a Litigation Star in Environmental and Energy. Since 2016, Jon has been selected for inclusion in The Best Lawyers in America®. In 2023, Jon was recognized by Best Lawyers® as the "Lawyer of the Year" for Product Liability Litigation – Defendants. In 2018, he was named the Barrister's Choice "Best Environmental Attorney" as well as "Lawyer of the Year" by Law Week Colorado. Jon is listed by Lawdragon as one of the "500 Leading U.S. Environmental Lawyers" as well as one of the "500 Leading U.S. Energy Lawyers" in its annual guide. In 2025 and 2026, he was named a Top Lawyer in Environmental law by 5280. He has been named a Colorado Super Lawyer in Super Lawyers. Jon has been recognized by Chambers USA as a Leader in Their Field in Environment law. He is a Fellow of the American Bar Foundation.

JONATHAN W. RAUCHWAY

PARTNER

RECENT REPRESENTATIONS

- Led Davis Graham trial team defending a CERCLA contribution case brought by the owner of an aluminum smelter. The plaintiff sought to impose over 90% of cleanup costs on our client, a former operator. After trial, the court adopted the allocation proposed by Davis Graham, assigning 65% of the costs to the plaintiff.
- Defended a public utility, a ski resort, and a private residential community in a series of Clean Water Act citizen suits brought by environmental organizations. After trials in all three cases, the juries returned complete defense verdicts.
- Led defense team in a lawsuit brought by over 100 landowners claiming their properties had been contaminated by the operations of a smelter in Anaconda, Montana. Davis Graham developed a novel defense to these common-law claims based on the federal CERCLA statute. Jon argued this defense without success four times in lower courts, including the Montana Supreme Court. The United States Supreme Court reversed, upholding the CERCLA-based defense in large part.
- Defended a company facing common-law damage claims by a group of downstream property owners who alleged their land and water had been contaminated by the company's Superfund site. After a three-week trial in federal court, the jury returned a complete defense verdict.
- Represents defendants in toxic tort and CERCLA cases around the country.
- Represents defendants in Clean Water Act citizen suits in several western states.
- Represents oil and gas producers in royalty payment disputes in several western states.

Brought a lawsuit on behalf of our client against the United States concerning the costs of environmental cleanup at four phosphate mines. Successfully obtained summary judgment on the liability of the government on all asserted grounds—CERCLA owner, operator, and arranger—at all four sites.