



## **Christine A. Samsel**

**Shareholder**

**csamsel@bhfs.com**

**303.223.1133**

**Denver, Colorado Los Angeles, California**

Christine Samsel is a highly respected labor and employment attorney with a comprehensive, coast-to-coast practice. Christine advises employers on virtually every aspect of employment law, from advice and counseling, training and contract negotiation to litigation.

She conducts due diligence for companies and investors with respect to labor and employment issues in corporate transactions and financial restructuring. Christine regularly negotiates and drafts high-level executive employment agreements and ancillary documents. She assists companies in establishing employment policies, conducting employee/management training, negotiating severance agreements, conducting internal investigations and audits, and implementing reductions in force.

In addition, Christine assists employers in complying with the conflicting and constantly-changing laws relating to marijuana and cannabis products as they pertain to employees and patrons in hospitality, retail and other industries. She also advises governmental agencies on crafting regulations that make employer rights and obligations clear. Christine has been engaged to speak on these and related topics throughout the country.

Throughout her extensive career, Christine has handled a wide variety of federal, state and local administrative proceedings before agencies such as the Equal Employment Opportunity Commission, the U.S. Department of Labor, the U.S. Department of Homeland Security, the U.S. Office of Federal Contract Compliance Programs and comparable state and local agencies, representing clients in affirmative action, wage-and-hour, immigration compliance and employment policy audits.

### **Previous Experience**

*Christine Samsel is "great to work with," according to clients, and is "very practical and business-oriented in her approach." She provides expert counsel on a range of employment law issues across both Colorado and California, while also offering expertise in issues arising from transactions as well as litigation. - Chambers USA, 2019*

### **Practices**

Corporate & Business, Employment, Litigation, Class Action Litigation, Employment, Government Investigations & White Collar Defense

### **Advice & Counseling**

Looked to as a leading resource on current labor and employment issues, Christine frequently advises, counsels on, and conducts in-house training and audits for clients on a wide variety of topics, including harassment and discrimination prevention, conducting internal investigations, employee classification issues, recent legal developments, and employee leave and accommodation matters.

### **Litigation**

Possessing extensive trial and arbitration experience in employment-related matters, Christine has defended countless companies and management in litigation and administrative proceedings. She regularly prosecutes and defends unfair competition and trade secret claims. She also has significant appellate experience in the

employment area and the general civil litigation context.

### **Transactional**

Christine oversees the employment law aspects of corporate transactions, identifying potential liabilities and ensuring the seamless transfer of employees from company to company. She has assisted Vail Resorts with employment issues in numerous transactions, including the acquisition of an online retailer and a \$63-million resort acquisition, and represented KSL Capital Partners on employment issues in connection with the sale of five resort properties. Christine regularly collaborates with board of directors and top-level management to negotiate and draft high-level executive employment agreements, severance agreements and related documents in connection with corporate transactions and ordinary business operations.

### **Representative Matters**

- Represented Therm-x of California, Inc., a manufacturer of temperature sensors, industrial heaters and process control products and systems, in the sale to Backer EHP Inc., a subsidiary of NIBE Industrier AB, a Swedish public company (NIBEb.ST).
- Represented Mai Mechanical, Corp. in connection with employment matters involved in the sale of all its shares of capital stock to J.R. Hobbs Co-Atlanta LLC, a portfolio company of Gladstone Investment Corporation.
- Represented VetScience LLC and its Fruitables brand of natural dog treats and food supplements in connection with employment issues involved in its sale to Manna Pro Products, LLC.
- Represented Vigeo Investments, LLC in connection with employment issues related to its acquisition of and acquisition financing for Energy Hydraulics.
- Advised a major Las Vegas casino regarding policy implications of marijuana legalization with respect to employees and guests, and modified policies accordingly.
- Represented Subsea Global Solutions, a portfolio company of Lariat Partners, in connection with employment issues implicated in its sale to GenNx360 Capital Partners. Subsea Global Solutions is a leader in underwater ship maintenance, repair and marine construction.
- Represented NexusTek Holdings, LLC in connection with employment issues involved in the sale of its LLC interests to ABRY Partners.
- Represented the stockholders of Sweet Earth Inc., a California-based manufacturer of plant-based protein food products, in connection with employment-related due diligence and negotiation and preparation of various employment-related agreements and employment aspects of transaction documents in connection with the sale of all of the issued and outstanding equity interests and owned real property to Nestlé USA, Inc.
- Represented Clarion Capital Partners, LLC in connection with employment and labor matters in its acquisition of and acquisition financing for AML RightSource, LLC, a Gabriel Partners company.
- Represented Global Employment Solutions, a portfolio company of TZP Group and leading provider of professional staffing services, with respect to employment issues in its acquisition of the Halo Group, an IT staffing company.
- Represented EMS USA, Inc., a portfolio company of Victory Park Capital and provider of pipeline integrity, maintenance and repair services, with respect to employment matters in the sale of its Integrity Maintenance platform to First Reserve Advisor.
- Represented Bow River Capital Partners with respect to employment issues arising in connection with its acquisition of and acquisition financing for Midstate Energy, L.L.C. Midstate Energy is an independent provider of comprehensive development, design and engineering services relating to infrastructure upgrades and energy efficient, asset sustainability solutions.
- Represented Pico Digital, Inc. in its sale to ATX Networks, a portfolio company of H.I.G. Capital, LLC, with

respect to employment issues, including contract negotiation.

- Represented Clarion Capital Partners, LLC in its acquisition of and acquisition financing for Madison Logic, Inc. from an employment standpoint, including conducting due diligence on employment issues and preparing employment agreements.
- Counsel to KSL Capital Partners with respect to employment and related issues in the sale of five iconic resort properties to TRT Holdings, owner of Omni Hotels & Resorts, in a series of five related transactions. Transferred properties include Barton Creek Resort & Spa in Austin, Texas; La Costa Resort & Spa in Carlsbad, California; Rancho Las Palmas Resort & Spa in Rancho Mirage, California; Grove Park Inn in Asheville, North Carolina; and The Homestead Resort in Hot Springs, Virginia. Brownstein acted as lead counsel on the transaction, facilitating the buyer's due diligence review of the properties and resorts, the negotiation of five separate purchase agreements, the transition of employees, and completion of all closing conditions.
- Represented client in connection with class action employment claims brought before the OFCCP and the EEOC and in federal district court and obtained dismissal of these claims in all venues.
- Represented client company and employees in connection with trade secret and unfair competition claims. Successfully compelled arbitration of virtually all claims and obtained stay of entire action. Forced arbitration in more favorable jurisdiction for our clients. Secured settlement with no monetary payout by our clients and favorable covenants in favor of our clients.
- Assisted Vail Resorts, Inc. and its subsidiary Specialty Sports Ventures, LLC with employment and ERISA issues associated with the acquisition of Outdoor Outlet, LLC, a Wisconsin-based company that owns and operates O2GearShop.com, an online retailer of outdoor/snow sport goods and equipment, including high-level executive employment agreements and related documents.
- Provided employment advice in connection with Vail Resorts, Inc.'s \$63 million acquisition of Northstar-at-Tahoe Resort in California.
- Represented Vail Resorts, Inc. in its acquisition of Mountain News Corporation (MNC), which operates the world's most visited online snow sports portal, OnTheSnow.com. Mountain News Corporation is the top provider of snow reports to more than 1,200 web sites throughout the world, including approximately 400 news media websites.

## **Publications & Presentations**

- The Perils of PTO for Multi-Jurisdictional Employers, Author, *Hotel Executive*, December 1, 2019
- Cannabis is Here, Getting into the Weeds on Business & Benefits Issues, Speaker, National Alliance 2019 Annual Forum, Washington DC, November 11, 2019
- Colorado PTO: To Pay or Not to Pay, *Brownstein Client Alert*, July 23, 2019
- Website Accessibility Lawsuits: Disabled Prospective Employees Sue for Inaccessible Online Application Processes, Co-author, *Hotel Executive*, December 9, 2018
- De Minimis No More: The End of Even Nominal Off-the-Clock Work in California, Co-author, *Western Grower & Shipper*, November-December 2018
- ADA Compliance and the Impact of Hotel Renovations, Co-author, *Hotel Executive*, September 23, 2018
- Property Managers, Owners and Leasing Companies Are Susceptible to Website Accessibility Lawsuits, *Brownstein Client Alert*, August 30, 2018
- The new frontier of website accessibility suits, Co-author, *Daily Journal*, July 2018
- The Perils of Parental Leave Policies, Co-author, *Law Week Colorado*, June 25, 2018
- Taking the "Con" Out of Contractors: California Supreme Court Tightens Standards for Independent

Contractors, *Brownstein Client Alert*, May 3, 2018

## **Education**

- J.D., 1990, University of Virginia School of Law
- B.A., 1986, Smith College

## **Admissions**

- California
- Colorado
- Virginia
- District of Columbia
- U.S. District Court, Eastern District of California
- U.S. District Court, Northern District of California
- U.S. District Court, Central District of California
- U.S. District Court, Southern District of California
- U.S. District Court, District of Colorado
- U.S. District Court, District of Columbia
- U.S. District Court, District of Maryland
- U.S. District Court, Eastern District of Virginia
- U.S. District Court, Western District of Virginia
- U.S. Court of Appeals, Third Circuit
- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, Ninth Circuit
- U.S. Court of Appeals, Tenth Circuit
- U.S. Supreme Court

## **Recognition**

5280 Top Lawyers, Labor and Employment: Defense, 2017-2019

*Chambers USA*, 2016-2019

Top Rated Lawyer in Labor & Employment, *American Lawyer Media* and *Martindale-Hubbell*<sup>TM</sup>, 2013

AV® Preeminent<sup>TM</sup>, *Martindale-Hubbell* Peer Review Rating (2002-present)

Certified California Appellate Law Specialist (2002-2007)

## **Memberships**

Faculty of Federal Advocates member (2015-present); Board member (November 2015-present); President (2017); Fellowship Program Committee (November 2015-present); Membership Committee (November 2015-present); New Lawyers CLE Program Committee (November 2015-present); Trial Advocacy Committee (November 2015-present); President Elect (May 2016-December 2016); Nominating Committee (Chair, May 2016-present); 2017 Forum Committee (Co-Chair; May 2016-present); Annual Reception Committee (Chair; May 2016-present); Liaison Committee (May 2016-present); History Project Committee (May 2016-present); Treasury and Budget Committee (May 2016-present)

Board Member, Rocky Mountain Children's Law Center and External Affairs Committee, and Chair of Events Committee and annual dinner (2013-2015)

Board Member and Co-Chair, Programs and Convention Committees, Colorado Women's Bar Association (2012-2014)

American Bar Association

California Bar Association

Colorado Bar Association

District of Columbia Bar Association

Los Angeles County Bar Association

Virginia Bar Association

Labor & Employment Section, District of Columbia Bar Association

Labor & Employment Section, Los Angeles County Bar Association

Labor & Employment Section, American Bar Association

Council of Appellate Lawyers

Society for Human Resource Management (SHRM)