



Hannah M. Caplan

Associate

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Denver, Colorado

Hannah Caplan helps businesses navigate the complex and ever-changing field of labor and employment law and works proactively to mitigate the risk of future employment claims. In order to help protect her clients from potential litigation, Hannah provides compliance review services such as drafting or revising company policies and employee handbooks tailored to the client's business and attentive to the evolving employment laws throughout the United States. When litigation is unavoidable, Hannah defends clients against discrimination, harassment and retaliation claims, and wage and hour lawsuits, including collective actions under FLSA. Hannah is comfortable and experienced in the courtroom, having spent many hours in trials and hearings on behalf of her clients.

As part of her transactional employment practice, Hannah navigates employee transitions, both on the front end with confidentiality, non-compete, and non-solicitation agreements, and on the back end with separation and release agreements, often under time constraints and with sensitivity to other business needs. Her litigation experience includes representation on both sides of unfair competition and trade secret disputes between employers and former employees, frequently in the context of emergency motions and hearings. She also assists with due diligence support in corporate acquisition deals, including immigration compliance and other employment-related issues. In addition, Hannah's practice includes advising employers on labor issues, such as collective bargaining and the handling of union grievances.

In addition to her labor and employment practice, Hannah provides support on a broad range of commercial litigation matters, including contractual disputes, antitrust cases, and property disputes. Hannah has achieved successful results for her clients at all stages of litigation, including early dismissal, discovery, summary judgment, trial and appeal. In her pro bono work, Hannah works with Project Safeguard to secure permanent protection orders for clients in domestic abuse situations, as well as serving as employment counsel to several local nonprofit organizations.

Prior to joining the firm, Hannah was a judicial law clerk for the Honorable Shelley Gilman and the Honorable Anne Mansfield in Denver District Court, having served in civil, criminal and domestic divisions.

Practices

Litigation, Employment, Senior Living

Representative Matters

- Secured early dismissal of individual defendant Chad Keck for lack of personal jurisdiction in multi-defendant complex litigation matter regarding United States rugby leagues in Boulder County District Court (Case No. 18CV30533).
- Represented ART Capital LLC in its acquisition and financing of Outdoor Dimensions, LLC, a full-service provider of signage and outdoor marketing solutions based in Southern California.
- Represented ART Capital LLC in its acquisition and financing of Andersen Commercial Plumbing, LLC, a commercial plumbing business in Southern California.
- 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.

- Successfully represented one of the largest health insurance companies in the country in a lawsuit alleging violations of the Sherman Act and Colorado Antitrust Act. Asserted counterclaims under the Sherman Act, Colorado Antitrust Act, Colorado Consumer Protection Act, and ERISA, in addition to various tort claims.
- Successfully negotiated the shutdown of a longstanding unionized business then arbitrated a reduction of just over 50% to the union pension plan's multi-million dollar assessment of withdrawal liability.
- Successfully navigated employer through a decertification campaign by workers who ultimately voted to decertify the union, ending with no charges filed against employer.
- Successfully developed and implemented strategies for C-level executive separations, including oversight of related investigations, then negotiated and litigated to favorable results issues related to the separation, including severance, equity-related transactions and other complex terms.

Community

- Board of Directors, HEART of Boardwalk for CHARG Resource Center, 2015 - Present
- Volunteer – Legal Services, Navajo Nation Department of Justice, 2010
- Rose Andom Center Young Professionals Council, 2018 - Present

Publications & Presentations

- Don't Let Halloween Haunt Your Workplace: How to Manage the Holiday's Risks, Author, *HR Dive*, October 21, 2019
- Colorado Legislature Will Consider Wide Range of Employment Bills, *Brownstein Client Alert*, January 18, 2019
- Making Sure Patients Win During the Midterms: Health Care Employers' Voting Leave and Related Obligations, Co-author, *American Health Lawyers Association*, November 2018
- The Perils of Parental Leave Policies, Co-author, *Law Week Colorado*, June 25, 2018
- Mandatory Annual Sexual Harassment Training Is Imminent for NYC Employers, *Brownstein Client Alert*, May 2, 2018
- Mitigating the E-Discovery Sideshow: Health Care Employer's Guide to Managing E-Discovery Before and During Litigation, Co-author, *American Health Lawyers Association Labor & Employment Newsletter*, 2018
- No Regrets: 10 Tips to Avoid Holiday Party Liability, *Brownstein Client Alert*, November 14, 2017
- Another Revised Form I-9: Mostly Non-Substantive Changes, with One Puzzling Guidance Modification, and Employers Must Switch to a New Form for the Second Time This Year, *Brownstein Client Alert*, August 1, 2017
- Nevada Redefines Non-Compete Standards; Employers Should Promptly Review Their Agreements, *Brownstein Client Alert*, July 7, 2017
- What Employers Should Know About Proposed Paid Leave Bill, Co-author, *Law360*, May 1, 2017

Education

- J.D., 2012, University of Denver Sturm College of Law
- B.A., 2008, *magna cum laude*, Villanova University

Admissions

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

Recognition

General Editor, *Denver University Law Review*

Scholastic Excellence Awards, Evidence and Administrative Law, University of Denver, Sturm College of Law

Membership

Colorado Bar Association

Colorado Women's Bar Association

Denver Bar Association