

Perry L. Glantz

He/Him

PARTNER

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Office: Denver



His clients say, "Perry is a force to be reckoned with as he tackles any litigation issue that faces him."

As a first-chair trial lawyer, Perry represents clients in all aspects of energy, banking, real estate, and general commercial litigation matters. Perry has represented clients in the energy sector on a wide range of issues. He has litigated matters involving the design, construction and operation of power plants in multiple states. In addition, he has been involved in matters involving the rights and responsibilities under various power purchase agreements.

Perry also handles a variety of issues including real estate disputes involving title, land use, inverse condemnation, restrictive covenant and premises liability actions. His general litigation focus encompasses disputes involving shareholders and members of business entities of all sizes, employment law, trade secret litigation and other matters.

When Perry isn't in the courtroom, you can find him recreationally swimming, running and biking. This former triathlete has successfully completed Ironman Zurich and Ironman Boulder twice.

PRACTICES & INDUSTRIES

- Banking & Financial Services
- Business Litigation
- Energy
- Real Estate Litigation
- Business Ownership Disputes

ADMISSIONS

- Colorado, 1987
- California, 2003
- U.S. District Court for the District of Colorado, 1987
- U.S. Court of Appeals for the Tenth Circuit, 1994
- U.S. Court of Appeals for the Ninth Circuit, 2004
- U.S. District Court for the Southern District of California, 2004
- U.S. District Court for the Central District of California, 2004
- U.S. Supreme Court, 2004
- U.S. District Court for the Northern District of California, 2004

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EXPERIENCE

Energy

- Represent large electric cooperative in all matters related to operations of business
- Represent municipal power authority in matters involving force majeure and supply chain issues
- Successfully litigated multi-million-dollar construction contract dispute concerning pollution control equipment installed at coal fired power
- Lead trial counsel in dispute involving responsibility for repairs and other matters between joint owners of coal fired power plant
- Lead trial counsel in litigation regarding responsibility for failure of saltwater disposal well head and resulting remediation costs

Banking and Financial Institutions

- Trial counsel for multiple banks in matters involving every aspect of the banking business
- Lead trial counsel in multiple litigations representing banks that have acquired assets from the FDIC as receiver for failed financial institutions. Successfully utilized statutory special powers defenses provided by the Financial Institutions Reform, Recovery and Enforcement Act as informed by the D'Oench Doctrine to defeat claims related to the conduct of the failed financial institution
- Trial counsel on behalf of numerous banks in litigation involving all aspects of their lending business including collections on defaulted loans and the enforcement of all types of security agreements
- Successfully litigated issues related to priority of liens on behalf of bank clients
- Successfully defended claims against a bank client involving the alleged breach of UCC presentment warranties and for

U.S. Court of Appeals for the Federal Circuit,
2012

EDUCATION

Pepperdine University, School of Law, J.D.,
summa cum laude, 1987

- Valedictorian

University of Denver, B.A., *cum laude*, 1984

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allegedly accepting checks with unauthorized endorsements

- Lead counsel in action against a third party vendor for a bank for common law indemnification based upon improper charges to bank customers

Real Estate

- Lead trial counsel in partition action involving commercial property
- Litigated matters involving the enforceability of recorded plats and the impact on development on a prospective basis
- Successfully litigated matter involving claims for prescriptive easements in favor of banking client necessary to development of property
- Appellate counsel in matter involving seniority of liens in context of subordination agreements
- Represent clients in FEMA floodplain planning and appeal of proposed floodplains
- Represent numerous clients in disputes with local government involving land use issues
- Represented several clients in zoning variance and condemnation proceedings
- Lead counsel in litigation involving inverse condemnation based upon local zoning ordinances
- Lead counsel in 42 U.S.C. 1983 litigation involving local government conduct in context of sale of property

General Business

- Represent clients in matters involving Communications Decency Act section 230
- Lead trial counsel in matters involving fraudulent transfer and successor liability of acquiring corporation
- Lead trial counsel in litigation regarding the entitlement to liquidated damages for construction delay

RECOGNITIONS

Nominated by clients to receive 2017 Acritas Star designation

Top Rated Lawyers, *The American Lawyer*, 2012

Recognized in *Colorado Super Lawyers*© 2013- 2021

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PROFESSIONAL & CIVIC ACTIVITIES

American Bar Association

Colorado Bar Association

California Bar Association

NEWS

Landmark Power Supply Partnership for CORE Electric Steered by Stinson Attorneys

01.30.2023

Cosentino, Glantz Author Article on Cyber Awareness for *Colorado Banker*

07.29.2022

Stinson's Denver Attorneys Recognized as Super Lawyers

03.09.2021

Stinson's Denver Attorneys Recognized as *Super Lawyers*

03.13.2020

SPEAKING ENGAGEMENTS

Cybersecurity Incident Response: Minimizing Class Action Litigation Risk

06.14.2022

PUBLICATIONS

Co-author, "Cyber Awareness: Decreasing the Cost of a Cybersecurity Attack," *Colorado Banker*, July 2022

"Colorado Majority Shareholders May Face Civil Theft Liability," *Law360*, July 2019

"Colorado High Court Defies Contract Damages Precedent," *Law360*, July 2019

Co-author, "Danger: Service Charges and Tipping Policies," *Club Director*, Summer 2016

Co-author, "Colorado Department of Labor & Employment Tightens Use-It-Or-Lose-It Vacation Policies," *Stinson Emerging Trends Newsletter*, July 2016

"Supreme Court Decision Weakens Class Defendants' Tactical Arsenal," *Stinson Emerging Trends Newsletter*, April 2016

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