

Partner ▪ mark.champoux@dgsllaw.com ▪ 303.892.7493



EXPERTISE

Commercial Litigation, Crisis Management, Privacy & Data Security, White Collar Defense & Investigations, Natural Resources & Environmental Litigation, Environmental Law & Litigation, Toxic Tort Litigation, Construction & Real Estate Litigation, Products Liability and Securities Enforcement & Litigation

EDUCATION

Harvard Law School, J.D., 2007

Brigham Young University, B.A., *magna cum laude*, 2004

ADMITTED IN

Colorado and District of Columbia

Mark Champoux helps clients resolve significant disputes arising in litigation, government enforcement, and regulatory actions in forums across the country. He rejoined Davis Graham & Stubbs LLP in July 2020 after serving as Principal Deputy Assistant Attorney General in the U.S. Department of Justice's Office of Legal Policy, where he was a primary policy advisor to the Attorney General and coordinated major initiatives relating to regulations, emerging technologies, data privacy, national security, and law enforcement. Mr. Champoux also supervised DOJ's work in supporting federal judicial nominations, an effort that earned him the Attorney General's Distinguished Service Award.

Mr. Champoux has an extensive record of experience in private practice. He has successfully defended both Fortune 500 companies and small businesses, obtaining complete defense judgments through dispositive motions and trial and leveraging favorable settlements by winning key motions and defeating class certification. In recognition of his litigation work, *Benchmark Litigation* named Mr. Champoux to the nationwide 40 & Under Hot List in 2016-2017. Mr. Champoux was also named a "Rising Star" by *Super Lawyers* magazine in 2014-2017 and a "Future Litigation Star" by *Benchmark Litigation* in 2015 and 2021.

Mr. Champoux's practice includes disputes involving emerging technologies, data privacy, natural resources, oil and gas, environmental liabilities, government enforcement, and regulations. He also has substantial experience in a broad range of other litigation areas,

including contracts, business torts, real estate, securities fraud, shareholder actions, civil RICO, products liability, and special districts.

Mr. Champoux has also handled numerous pro bono criminal matters, including a successful petition for certiorari in the U.S. Supreme Court with subsequent reversal of conviction for an indigent criminal defendant.

Mr. Champoux received his J.D. in 2007 from Harvard Law School, where he was deputy editor-in-chief of the *Harvard Journal of Law & Public Policy*, and his B.A. in 2004 from Brigham Young University, graduating *magna cum laude* and as valedictorian. Before first joining DGS in 2012, Mr. Champoux was a trial attorney at Kirkland & Ellis LLP in Washington, D.C. and clerked for then-Judge Neil M. Gorsuch on the U.S. Court of Appeals for the Tenth Circuit.

GOVERNMENT EXPERIENCE

- Principal Deputy Assistant Attorney General, U.S. Department of Justice, Office of Legal Policy
- Law Clerk, The Honorable Neil M. Gorsuch, U.S. Court of Appeals for the Tenth Circuit

COMMUNITY INVOLVEMENT & AFFILIATIONS

- Children's Hospital Colorado Foundation, Corporate Leadership Council (2021)

- Federalist Society, Executive Committee of the Litigation Practice Group (2020)
- Colorado Technology Association, Policy Council (2020)
- U.S. District Court for the District of Colorado Civil Pro Bono Panel (2016-2017)
- Denver Health Foundation, Event Committees (2013-2017)
- Mile High United Way, Emerging Leaders Council (2015-2016)
- Boy Scouts of America (2012-2017)
- William E. Doyle Inn of Court, Barrister (2012-2017)
- Colorado Bar Association
- American Bar Association

REPRESENTATIVE MATTERS

- Obtained summary judgment on all claims after extensive discovery and motions practice where a group of approximately 100 plaintiffs alleged environmental property damages from historical smelting operations.
- Obtained complete dismissal of putative class action against a large defense contractor involving claims of property damages from alleged groundwater impacts.
- Obtained summary judgment on behalf of oil exploration and production companies in challenging a special district's unlawful inclusion, and subsequent taxing, of mineral interests in the district's boundaries.
- Defended against claims for significant unpaid royalties under a mining lease, leading to successful resolution after extensive discovery of plaintiff's key witnesses and documents.
- Defended against claims concerning allocation of environmental liabilities under an asset purchase agreement, leading to favorable arbitration judgement.
- Obtained favorable settlement after the start of trial in an oil company's dispute with the State of California concerning an agreement to pay for the costs of cleaning up a sulfur mine.
- Obtained favorable settlement of real estate conditions claims on behalf of national grocery retailer after the court ruled on dispositive motions and discovery challenges.

- Obtained complete dismissal of securities fraud claims in putative shareholder class action against a large energy supplier.
- Obtained dismissal of civil RICO claims in large putative class action against an oil company involving allegations arising from an oil spill.
- Obtained dismissal of civil RICO and other claims in suit by the Republic of Iraq for alleged kickbacks paid by participants in the United Nations Oil-for-Food Program.

SELECTED SPEAKING ENGAGEMENTS

- "Explaining the Top Tech Policy Debates and How They Can Affect Your Company's Legal Liability," Colorado Bar Association, December 3, 2020
- "An Insider's Perspective on Federal Judicial Appointments and Their Impact on the Energy Industry," Institute for Energy Law, October 14, 2020
- "Understanding the UAS Threat," Army Judge Advocate General's Legal Center and School, 19th Domestic Operational Law Course, January 15, 2020
- Panel: "Powers Struggle: A Problem or Progress? A Moderated Discussion on the Power Balance Between the Executive and the Judiciary," Vanderbilt Law School, Hyatt Fund, November 11, 2019
- Panel: "Updates in Litigation and Legislation," U.S. Department of Justice Privacy Training, May 15, 2019
- Panel: "The Tech Titans' Duties to Assist the Government," The National Security Institute and Federalist Society Event: The Tech Titans and National Security, June 28, 2018
- "Avoiding Ethical Traps When Challenging and Defending Agency Decisions," Rocky Mountain Mineral Law Foundation Conference: Challenging and Defending Federal Natural Resource Agency Decisions, September 15, 2016

SELECTED PUBLICATIONS

- *DGS Alert*, [What Businesses Should Expect in Potential COVID Liability Protection Legislation & What They Can Do About It Now](#), September 14, 2020 (with Sterling LeBoeuf & Daniel Richards)
- *Law Week Colorado*, How the Judicial Nomination Wars Affect Business Liability, October 26, 2020.

- *Rocky Mountain Mineral Law Foundation, Don't Lie, and Other Brilliant Ethics Tips When Challenging and Defending Agency Decisions (Paper 15), 2016 (with Chelsea Grossi)*