



Dana Eismeier Biography

Mr. Eismeier is chair of the firm's litigation department. He specializes in commercial, employment and environmental litigation. He also handles intellectual property matters and whistleblower/qui tam litigation. His clients range from large, national corporations to small, local business entities. Mr. Eismeier has substantial trial and appellate experience in Colorado and other states throughout the Rocky Mountain region. He has also argued several times before the Judicial Panel on Multidistrict Litigation.

While at Notre Dame, Mr. Eismeier was a member of the Notre Dame Law Review and served as its Administrative Editor in 1983-84. Mr. Eismeier received his undergraduate degree from Alma College in Alma, Michigan, summa cum laude. He was active in student government and various academic societies, including Phi Beta Kappa.

Mr. Eismeier is a member of the Colorado Bar Association, American Bar Association and Denver Bar Association. He is licensed to practice law in the State of Colorado, United States District Court for the District of Colorado, the Tenth Circuit Court of Appeals, U.S. Claims Court, U.S. Federal Circuit Court of Appeals, and the United States Supreme Court. He has been specially admitted to the Bar Associations of Utah and Wyoming. Additionally, he is a member of the Law Club of Denver (1990 to present; President 2000-2001); Faculty of Federal Advocates (1997 to present); and is a Director of the Notre Dame Law Association of Colorado. Mr. Eismeier is a frequent lecturer at various legal conferences in Colorado. He has also published many legal articles, including "The Alter Ego Doctrine in Colorado," *The Colorado Lawyer*, March 1999, and articles regarding the Economic Loss Rule in Colorado and Washington published in the *Colorado and Washington Journals*, respectively, in 2001. In 2003, he published "Continuing Trespass and Nuisance for Toxic Chemicals" in the *Colorado Journal*. In 2004, he published "Application of Civil and Criminal Law to Passive Migration of Toxic Chemicals in Colorado" for the American Bar Association website.

Curriculum Vitae

EDUCATION:

J.D., University of Notre Dame, Notre Dame, Indiana, 1984; Notre Dame Law Review, 1982-84 (Administrative Editor, 1983-84) .

B.A. History (major) and Economics (minor), Alma College, Alma, Michigan, 1981, summa cum laude; Phi Beta Kappa, 1981; Vice President Phi Alpha Theta, 1981.

PROFESSIONAL EXPERIENCE:

1990 - Present Burns, Figa & Will, P.C., (Shareholder); commercial and environmental litigation, employment law, sports law and intellectual property.

1984 - 1989 Kutak, Rock & Campbell (Denver Office); commercial law and litigation, real estate, public sector finance and municipal bond issuance.

BAR ADMISSIONS AND MEMBERSHIPS:

U. S. Supreme Court (2002)
Fifth Circuit Court of Appeals (2001)
Federal Circuit Court of Appeals (1994)
U.S. Claims Court (1992)
Tenth Circuit Court of Appeals (1992)
U.S. District Court, Colorado (1985)
Colorado (1984)
Special Admissions
Utah Supreme Court
Wyoming Supreme Court
Judicial Panel on Multidistrict Litigation

Activities

American Bar Association, Colorado Bar Association, Denver Bar Association (1984 - Present)
Faculty of Federal Advocates (1997-Present)
Board of Governors, Southeast Business Partnership (2007-2008)
ABA Litigation Section Member
Notre Dame Club of Denver
The Law Club of Denver (1990 - Present)
President (2000 - 2001)
Articles Published

“Application of Civil and Criminal Law to Passive Migration of Toxic Chemicals in Colorado” – Environmental Crimes and Enforcement Committee Newsletter, American Bar Association, January 2004
“Continuing Trespass and Nuisance for Toxic Chemicals” – The Colorado Lawyer, July 2003
“Piercing the Corporate Veil – Business Owners Must be Aware of Alter-Ego Doctrine” Colorado Journal, May 2002
“Coming Clean – Two Programs Help With Voluntary Cleanup of Toxic Waste” Colorado Journal, April 2002
“Come to Terms – The Economic Loss Rule Puts Burden on Parties to Bargain for Protection” Colorado Journal and Washington Journal, September 2001
“The Alter Ego Doctrine In Colorado” The Colorado Lawyer, March 1999
Case Note, "Recovery Under the Vaccine Act" Trial Talk, Jan. 1996
Book Review, "News of Crime" Notre Dame Law Review, 1984
Recent Decisions, "Airport Drug Seizures: How the Courts Strike the Fourth Amendment Balance" Notre Dame Law Review, 1983
"Japan, the United States, and the Coming of War in the Pacific, 1939-1941" Michigan Academician, 1982

Seminars

“Environmental Risks” Colorado Special District Association 9/21/06

“Business Law – The Anatomy of a Restaurant Sale” Johnson and Wales University 2/6/06 and 2/18/04

“How to Present and How to Destroy an Expert Witness” Colorado Bar Association 12/16/05
“Commercial Real Estate in Colorado – Environmental Litigation” 1/14/03

“Municipal Brownfields” Colorado Municipal League Conference 11/5/02

“How Not to End Up in Court (Pitfalls to Avoid in Negotiating Contracts)” South Metro Chamber of Commerce 11/15/02