

Snell & Wilmer



Elizabeth S. Wylie

Partner | Denver

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Main Bio

Elizabeth is a trial attorney with more than 25 years of experience focusing on business and employment litigation involving commercial disputes and employment matters. She has represented clients across multiple industries, including food service, health care, construction, real estate and manufacturing. Elizabeth has represented clients at all stages of litigation, including administrative proceedings and appeals, seeking or defending a temporary restraining order and/or preliminary injunction, and trial or arbitration.

Elizabeth regularly represents public and private entities in commercial disputes, including commercial landlord/tenant disputes, breach of contract and fraud claims, and shareholder disputes. She also provides representation to public and private entities in employment litigation and business torts cases, with an emphasis on the enforcement of non-competition agreements and the protection of trade secrets in Colorado and other states. She advises employers concerning most aspects of the employer-employee relationship, including:

- claims of discrimination and harassment,
- wage and hour violations,
- retaliatory discharge,
- disability and family leave issues,
- whistleblower claims and protections,
- wrongful termination,
- employment contracts and separation agreements, and
- responding to workplace complaints and conducting internal investigations.

Representative Experience

Litigation and Dispute Resolution

- Represented real estate brokerage in six-day trial concerning enforcement of restrictive covenants, theft of trade secrets and interference with contractual relations
- Represented employers in disputes and lawsuits relating to theft of trade secrets, tortious interference with contractual relations or prospective business advantage, and enforcement of restrictive covenants
- Represented privately held company in arbitration regarding challenge to redemption value of units
- Represented industrial services provider in dispute with the Colorado Department of Labor and

Employment relating to unemployment insurance taxes

- Represented land owner in dispute over easement and alleged partnership agreement to jointly operate neighboring ranches
- Represented commercial tenant in dispute with landlord regarding claims of breach of covenant of quiet enjoyment and express lease terms, and constructive eviction
- Represented employers in numerous discrimination and/or retaliation lawsuits arising under Title VII, the FMLA and FLSA, and various state laws
- Defended lawsuits, including a class action, claiming violations of the Telephone Communications Privacy Act ("TCPA")
- Defended lawsuits, including a class action, claiming violations of provisions of Title III of the Americans with Disabilities Act ("ADA") requiring that websites be accessible to persons with visual impairments

Advice and Counsel

- Provided advice and counsel to employers relating to disciplinary matters; separation agreements; and termination of managers, executives, officers and directors
- Reviewed non-competition, non-solicitation, and non-disclosure agreements
- Advised employers regarding various compensation issues, including issues relating to payment of wages upon termination under Colorado Wage Act, employment of interns, compensation for travel time, compensation for overtime under the Fair Labor Standards Act, and provision of breaks and rest periods as required by state law
- Provided advice and counsel to employers regarding requests for FMLA leave and ADA accommodations
- Advised employers regarding best practices for hiring, complaint and termination procedures
- Conducted internal investigations regarding harassment, discrimination, fraud and violation of company policy
- Advised clients regarding compliance with the TCPA
- Advised clients regarding compliance with website accessibility requirements of the ADA

Education

- University of Texas School of Law (J.D., cum laude, 1993)
 - Order of the Coif
 - Review of Litigation, Editor
- Dartmouth College (B.A., cum laude, 1989)
 - The Dartmouth, Editor

Professional Memberships & Activities

- American Bar Association
 - Labor and Employment Law Section
 - Litigation Section
- Colorado Bar Association

- Executive Council for Litigation Section
- Colorado Women's Bar Association
- Texas Bar Association

Representative Presentations & Publications

- "[Is Your Website Accessible? Number of ADA Title III Lawsuits on the Rise](#)," Author, Snell & Wilmer Legal Alert (February 18, 2020)
- "Making Bank: The People's Guide to Salary Negotiations," Co-Presenter, Mi Casa Resource Center (November 19, 2019)
- "Jumping Ship: Employee Mobility and Restrictive Covenants in Colorado," Co-Presenter, Employment Law Conference (October 3, 2019)
- "Making Bank: The People's Guide to Salary Negotiations," Co-Presenter, Colorado Women's Bar Association CLE Event (October 2, 2019) (Workshop created and delivered by Diana Mead and Elizabeth Wylie to teach negotiation skills to women following passage of Colorado Equal Pay Act)
- "Use of Demonstrative Evidence at Trial: Means and Methods," Co-Presenter, Colorado Litigators' Summit (September 27, 2019)
- "Many Stories, One Vision," Moderator, Women's Foundation of Colorado PEP Committee Breakfast (September 17, 2019)
- "[EEO-1 Deadline: Reporting Wage Information](#)," Author, Colorado Women's Chamber of Commerce Blog (September 12, 2019)
- "Jumping Ship: Employee Mobility and the Protection of Proprietary Business Information in Colorado," Co-Presenter, Business Law Institute, Colorado Bar Association (September 12, 2019)
- "'Ban the Box' Begins," Quoted, Law Week Colorado (September 2, 2019)
- "[Law Banning Initial Inquiries Into Colorado Job Seekers' Criminal Histories Takes Effect Sept. 1](#)," Quoted, Denver Business Journal (August 30, 2019)
- "Making Bank: The People's Guide to Salary Negotiations," Co-Presenter, Women's Foundation of Colorado (August 22, 2019)
- "[HR Compliance a Running Theme in Passed Bills](#)," Quoted, Law Week Colorado (May 13, 2019)
- "Jumping Ship: Employee Mobility and Restrictive Covenants in Colorado," Presenter, Colorado Bar Association (January 2019)
- "Maintaining the Brain Trust: The Why, What, When, Where, and How of Mental Health Accommodation," Presenter, FedEx Express Global Learning Institute (November 2018)
- "Anatomy of an Investigation," Presenter, Mile High Society for Human Resource Management (October 2018)

Professional Recognition & Awards

- Peer Review Rated AV Preeminent, Martindale-Hubbell®
- 100 Women Who Inspire Us, American Bar Association Litigation Section (2019)
- [Lawyer of the Year, Law Week Colorado \(2019\)](#)

Community Involvement

- Women's Foundation of Colorado
 - PEP Committee, Co-Chair (2018-present)
- Colorado Attorney Mentoring Program
 - Mentor (2019)
- Colorado High School Mock Trial Program
 - Coach (2018-present)
- Susan G. Komen Foundation Colorado
 - Board of Directors (2015-2017)
- Downtown Denver Partnership
 - Jury Awards Commission (2017)
- Legal Center for People with Disabilities
 - Volunteer Attorney (2000-2001)

Other Professional Experience

- Messner Reeves LLP, Partner (2016-2019)
- Hamil Law Group LLC, Of Counsel (2015-2016)
- Wheeler Trigg O'Donnell LLP, Attorney (2012-2015)
- Hamil/Hecht LLC, Attorney (2003-2008)
- The Legal Center for People with Disabilities, Senior Attorney (2001-2003)
- Sherman and Howard LLC, Litigation Associate (1996-1998)
- Baker Botts, LLP, Litigation Associate (1994-1996)
- U.S. District Court for the Northern District of Texas, Law Clerk (1993-1994)

Bar Admissions

- Colorado
- Texas

Court Admissions

- United States Court of Appeals, Fifth Circuit
- United States Court of Appeals, Tenth Circuit
- United States District Court, District of Colorado
- United States District Court, Northern District of Texas