

Dr. J. Kirk McGill, Esq.

Shareholder

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J. Kirk McGill is a Shareholder stationed in the firm's Denver Office but practices throughout the country in essentially all of the firm's practice areas. Kirk leverages his knowledge, skills, training and experience to effectively and efficiently assist his clients with transactional, litigation, and administrative/regulatory matters. Kirk holds the highest Martindale-Hubble peer review rating of AV Preeminent®, and the highest client review rating of Platinum (Client Champion).

As an appellate lawyer, Kirk's practice broadly encompasses all of the firm's practice areas, and routinely involves Federal and state appeals, commercial litigation, constitutional law, tax (including planning and controversies/litigation), estates and trusts (including both planning & litigation), commercial & business law (including contracts, commercial transactions, mergers & acquisitions, and bankruptcy), administrative law & regulatory compliance (including oil & gas and antitrust), intellectual property (including copyright, trademark, and name/image/likeness), Native American & Indian law, and information technology & cybersecurity. Kirk is also a strong advocate for civil liberties and is one of the few attorneys in the United States who routinely represents both plaintiffs and defendants in civil rights matters involving governmental entities such as law enforcement use of force disputes. He also represents defendants in civil rights and other employment law cases involving private employers.

Prior to earning his law degree, Kirk served for two years with the State of Colorado as a Revenue Agent, and for six years with the Department of Defense specializing in regulatory compliance audits and forensic investigations. In addition to his law degree, Kirk earned a master's degree in accounting and a research doctorate in business administration. Kirk is also a Colorado Certified Public Accountant, and holds a number of professional certifications in accounting, auditing, and financial investigations. Kirk provides his expertise (including as an expert witness) to companies and other law firms in a wide range of areas, including cybersecurity, commercial finance, corporate governance, tax, and both financial & forensic accounting and auditing.

Kirk believes that clients are best served by zealous advocacy that is nevertheless tempered by appreciation for the experiences of all stakeholders, which creates opportunities for a mutually beneficial resolution of even the most acrimonious disputes and is as prepared to create a transactional solution to a client's problem or to carry out a client's objectives as he is to litigate or arbitrate a resolution to a dispute.

During his career, Kirk has successfully represented his clients in a variety of matters, including:

- Successfully negotiated and closed a $5 million dollar residential real estate sale involving complex water rights and insurance issues.
- Successfully negotiated the resolution of complex probate litigation involving a more than $4 million estate that had been ongoing for seven years and a separate $3.5 million stock sale involving multiple closely held companies in the midst of an acrimonious family feud following the death of the family patriarch and founder of the companies. Thereafter, successfully negotiated the breakup and distribution of the family's real estate assets totaling $4.8 million and the sale of further assets totaling nearly a half million dollars.
- Achieved early dismissal of civil rights litigation against the Jackson Hole Airport before the District of Wyoming involving an allegedly improper arrest and use of excessive force - and successfully obtained attorneys' fees against the Plaintiff and his counsel for continuing the case after probable cause was conclusively established. Plaintiff appealed. Briefed and argued the appeal before the Tenth Circuit, which affirmed both the dismissal of the litigation and the awarding of attorneys' fees in a published decision. *Frey v. Town of Jackson, Wyoming, et. al.* 41 F.4th 1223 (10th Cir. 2022).
- Successfully negotiated the sale for $1.2 million of a client's stock in a closely held corporation to resolve a long-running dispute between the shareholders.
- Briefed and argued a Lanham Act and Sherman Act case before the Tenth Circuit in an attempt to reverse the District of Colorado's dismissal of the case; the opposing party (who won before the District Court) agreed to a favorable settlement following oral argument.
- Secured a favorable settlement on behalf of a Wyoming commercial landlord in litigation with the State of Wyoming over the state's failure to pay rent for its use of a large commercial office building.
- Secured a settlement on behalf of a Colorado County Treasurer in complex multi-party litigation that resulted in the payment of 100% of the delinquent taxes owed under the Treasurer's tax lien while allowing the business to continue in operation under new ownership.
- Successfully defended a Colorado County Treasurer from allegations of misconduct, including litigating three District Court cases, three Court of Appeals cases, and five separate extraordinary writs to the Colorado Supreme Court.
- Secured a favorable settlement on behalf of a citizen of the Cherokee Nation in a civil rights dispute with the United States Department of the Interior.
- Secured a favorable settlement on behalf of a county employee in Wyoming for First Amendment retaliation and Fourteenth Amendment due process claims.

Practices

Alternative / Renewable Energy

Banking & Financial Services

Bankruptcy, Restructuring & Creditor's Rights

- Fraud and Forensic Financial Investigation

Cannabis Law

Corporate & Business Services

- Antitrust
- Cybersecurity & Data Privacy
- Administrative Law
- Securities Regulation & Compliance

Data Centers

Environmental Services

- Water Law

Estate Planning & Trusts

- Probate
- Appellate

Healthcare

- Healthcare: Licensed Professionals & Entities
- Healthcare Litigation
- Healthcare Transactions

Intellectual Property

Labor & Employment

Litigation

- Aviation & Aerospace
- Civil Rights
- Transportation Law
- White Collar Compliance, Defense & Investigations

Media & First Amendment

Municipal & Public Authority

Native American Law

Non-Profit Organizations & Private Foundations

Oil & Gas

Real Estate

Tax

Education

- University of Denver - Sturm College of Law (J.D., 2018)
  - Certificates in Legal Research and Advanced Legal Research
  - Order of the Coif
  - Law Review Editor
- Capella University (Doctor of Business Administration, 2023)
  - Specialization in Management
- University of Colorado - Denver (M.S. in Accounting, 2014)
  - Specializations in Taxation, Auditing and Forensic Accounting
- Regis University (B.S. in Accounting, *summa cum laude*, 2009)
  - Minor in English Literature
- Regis University (B.S. in Business Administration, *summa cum laude*, 2009)
  - Emphasis in Finance
  - Completed the University Honors Program

Admissions

- United States Supreme Court
- U.S. Tax Court
- U.S. Judicial Panel on Multidistrict Litigation
- U.S. Court of Appeals for the Federal Circuit
- U.S. Court of International Trade
- U.S. Court of Federal Claims
- U.S. Court of Appeals for the D.C. Circuit
- District of Columbia
- U.S. Court of Appeals for the Tenth Circuit
- U.S. Court of Appeals for the Tenth Circuit Bankruptcy Appellate Panel
- Colorado
- U.S. District Court for the District of Colorado
- U.S. Bankruptcy Court for the District of Colorado
- Oklahoma
- U.S. District Court for the Eastern District of Oklahoma

- U.S. Bankruptcy Court for the Eastern District of Oklahoma
- U.S. District Court for the Northern District of Oklahoma
- U.S. Bankruptcy Court for the Northern District of Oklahoma
- U.S. District Court for the Western District of Oklahoma
- U.S. Bankruptcy Court for the Western District of Oklahoma
- Utah
- U.S. District Court for the District of Utah
- U.S. Bankruptcy Court for the District of Utah
- Wyoming
- U.S. District Court for the District of Wyoming
- U.S. Bankruptcy Court for the District of Wyoming
- U.S. Court of Appeals for the Fifth Circuit
- Texas
- U.S. District Court for the Eastern District of Texas
- U.S. Bankruptcy Court for the Eastern District of Texas
- U.S. District Court for the Northern District of Texas
- U.S. Bankruptcy Court for the Northern District of Texas
- U.S. District Court for the Southern District of Texas
- U.S. Bankruptcy Court for the Southern District of Texas
- U.S. District Court for the Western District of Texas
- U.S. Bankruptcy Court for the Western District of Texas
- U.S. Court of Appeals for the Ninth Circuit
- Montana
- U.S. District Court for the District of Montana
- U.S. Bankruptcy Court for the District of Montana
- Washington
- U.S. District Court for the Eastern District of Washington
- U.S. Bankruptcy Court for the Eastern District of Washington
- Cherokee Nation Tribal Courts
- Choctaw Nation Tribal Courts
- Chickasaw Nation Tribal Courts
- Muscogee (Creek) Nation Tribal Courts
- Seminole Nation Tribal Courts
- Sac & Fox Nation Tribal Courts
- Citizen Potawatomi Nation Tribal Courts
- Kiowa Tribal Courts

Experience

- 2022–Present Hall Estill
- 2018–2022 Godfrey Johnson, P.C.

- 2012–2018 United States Department of Defense / Department of War
- 2010–2012 State of Colorado

Certifications

- Certified Public Accountant (CPA) (2012–Present)—Colorado License No. CPA.0030444
- Certified Fraud Examiner (CFE) (2012–Present)
- Certified in Financial Forensics (CFF) (2025-Present)
- Certified Information Systems Auditor (CISA) (2014–Present)
- Certified Internal Auditor (CIA) (2013–Present)
- Certified Management Accountant (CMA) (2014–Present)
- Certified Forensic Accountant (CRFAC) (2012–Present)
- Certified Forensic Auditor (CRFAU) (2022–Present)
- Chartered Global Management Accountant (CGMA) (2012–Present)
- Certified Information Technology Professional (CITP) (2021–Present)
- Certified Government Auditing Professional (CGAP) (2014–Present)

Community & Professional Involvement

Professional Involvement

- Colorado, Montana, Oklahoma, Texas, Utah, Washington and Wyoming State Bar Associations
- Cherokee Nation, Muscogee (Creek) Nation, and Choctaw Nation Bar Associations
- Faculty of Federal Advocates (Colorado)
- American Institute of Certified Public Accountants (AICPA)
- Association of International Certified Professional Accountants
- Colorado Society of Certified Public Accountants
- Association of Certified Fraud Examiners
- American Board of Forensic Accounting
- Institute of Internal Auditors
- Institute of Management Accountants
- Information System Audit and Control Association (ISACA)

Community Involvement

- Treasurer and Director, Colorado Adult Soccer Association

Honors & Awards

- Martindale-Hubble—AV Preeminent® Peer Review Rating (2025-2026); Platinum (Client Champion) Client Review Rating (2025-2026) https://www.martindale.com/ratings-and-reviews/
- Super Lawyers—Rising Star in Appellate Law (2024-2026)
- Best Lawyers—Ones to Watch in Commercial Litigation (2025-2026)

- Colorado Supreme Court - Recognition for Pro Bono Services (2024 & 2025)
- Washington Supreme Court - Pro Bono Honor Roll (2025)

Articles & Presentations

- J. Kirk McGill, *Development of Cybersecurity Culture for Law Firm Managers in the United States* (2023).
- J. Kirk McGill & Ben K. McGill, *Lucia v. SEC: Justice Breyer Warns of a Dramatic Expansion of the President's Control Over the Federal Civil Service*, 96 Den. L. Rev. Online 91 (2018) (https://tinyurl.com/mtte8p5z).
- J. Kirk McGill, Ben K. McGill, Zackary B. McGill & Breanna A. Symmes, *The Right to Be Left Alone—The Evolution of the Right of Privacy in American Jurisprudence* (Robert J. Margesson, Darryl W. Palmer & Thomas G. Bowie, Jr., Editors) (2009).