



# Henry M. Baskerville

Partner

[hbaskerville@foxrothschild.com](mailto:hbaskerville@foxrothschild.com)



Denver, CO

Tel: 303.209.3357

Fax: 303.292.1300

Henry is an experienced trial lawyer who represents clients in complex commercial litigation, white-collar criminal investigations, government contracting matters and construction disputes. He serves as an outside general counsel to small businesses and startups in a wide variety of industries. He received an AV Preeminent rating by Martindale-Hubble and Lead Counsel Verification from Thompson-Reuters, was named a Fellow in the Litigation Counsel of America and Litigation Star by Benchmark Litigation, and was selected numerous times to Super Lawyers and Best Lawyers. He has tried dozens of cases before judges, juries and arbitrators and prides himself on knowing the cases inside and out.

Henry represents individual and corporate clients in a wide variety of commercial disputes in state and federal court and in arbitration. He handles litigation involving:

- Breach of fiduciary duty
- Fraud
- Fraudulent transfers
- Trade secrets, restrictive covenants
- False Claims Act claims (qui tam cases)
- Breach of contract
- Workplace disputes
- Securities, bankruptcy and receivership proceedings
- Disputes over the ownership of closely held companies

## White-Collar Defense

Henry defends clients in all phases of criminal investigations, from the initial government inquiry through trial and appeal. He handles bank, mail, securities and tax fraud matters, anti-trust prosecutions, including under the Sherman and Clayton Acts, and public corruption proceedings. Henry manages grand jury investigations, responds to government evidentiary demands and oversees large joint-defense groups.

He also conducts internal investigations for businesses and institutions that are concerned about potential legal violations or are facing government probes. He interviews employees, reviews business records and consults with senior management to develop an effective response strategy. In addition, Henry assists businesses in setting up compliance programs designed to minimize unlawful conduct.

## Government Contracting

Henry represents businesses in civil and criminal investigations related to government contracts under the False Claims Act and other statutes. He also conducts related internal investigations and helps clients implement compliance programs designed to help them meet government contracting requirements.

## Construction Litigation

Henry has a background in the industry and represents clients from multinational construction conglomerates to small local contractors in a broad range of disputes with owners, the government and subcontractors.

## Outside General Counsel

Henry serves as outside general counsel or in an advisory capacity for small businesses in a variety of industries, including banking, ecommerce, hospitality and health care. He counsels clients on workplace issues, contract disputes, litigation and investigations, internal policies and a range of business agreements.

## Cannabis Industry

Henry assists individuals and businesses in the legalized cannabis industry, providing general legal counsel, regulatory compliance advice, drafting of business and investment agreements, assistance with licensing matters and representation in enforcement proceedings.

## Health Care Industry

Henry has experience in government contracting, including Medicare and Medicaid. He represents health care clients in litigation against the government concerning government contracts. He also represents health care clients in governmental investigations, including those related to fraud, waste and abuse. Henry represents doctors/providers in various partnership disputes, including those related to noncompetes and other restrictive covenants.

## Services

- Litigation
- White Collar Criminal Defense & Government Investigations
- Construction
- Cannabis Law
- Federal Government Contracts

## Accomplishments

- Named a Fellow of the Litigation Counsel of America
- Rated AV Preeminent by Martindale-Hubbell
- Named to National Trial Lawyers' Top 40 Under 40 (2014)

## Memberships

- American Bar Association
- Colorado Bar Association
- Trial Law Institute
  - Barrister, Order of Veritas

## Honors & Awards

- Selected to the "Litigation Stars" list for commercial litigation by Benchmark Litigation (2025, 2026)
- Selected to the "Best Lawyers in America" list for commercial litigation in Colorado (2017-2026)
- Awarded Lead Counsel Verification in Civil Litigation by Lawinfo.com, a subsidiary of Thompson Reuters.

- Selected to the "Super Lawyers" list for Colorado in the categories of general litigation, business litigation, cannabis law, criminal defense: white collar and government contracts (2020-2026)
- Selected to the Who's Who in America list by *Marquis Who's Who* (2025)
- Denver Business Journal Leadership Trust Member (2020-2021)
- Selected to the "Super Lawyers Rising Stars" list for Colorado (2017-2018)
- Selected to the "Super Lawyers Rising Stars" list for Illinois (2012-2015)

## Beyond Fox Rothschild

Henry is a member of the French American School of Denver's Parent Teacher Organization and serves as Chair of its Recruiting Committee and a member of its Executive Committee.

Previously Henry was a member of the Advancement Committee of the Board of Directors of the International School of Denver. He also served on the Board of Directors of the Mile High Youth Corps and as a member of the Board's Development Committee. He appreciates the opportunity to give back to the community by providing pro bono representation.

## Before Fox Rothschild

Henry joined us from a Denver law firm where he was a managing partner. Before that, he worked in the Denver office of a national law firm and practiced with firms in Chicago. He also worked as a building and land use litigation attorney for the City of Chicago Law Department.

## Languages

- French

## Bar Admissions

- Colorado
- Illinois
- Wyoming

## Court Admissions

- U.S. Court of Appeals, Seventh Circuit
- U.S. Court of Appeals, Tenth Circuit
- U.S. District Court, District of Colorado
- U.S. District Court, Central District of Illinois
- U.S. District Court, Northern District of Illinois (also member of the Trial Bar)

## Education

- Loyola University Chicago School of Law (J.D., *cum laude*, 2005)
  - Certificate in Trial Advocacy
- Boston College (B.A., *cum laude*, 2001)

## Representative Matters

- After a six-day trial, secured judgment of over \$50 million on behalf of clients for claims for breach of contract, civil theft, breach of fiduciary duty, and fraudulent inducement, among others.
- Represented client in suit for breach of contract, fraudulent transfers, and civil theft and in countersuit fighting claims of theft of trade secrets, COCCA claims, breach of fiduciary duty, and computer crimes. After an eleven-day trial, the court ruled in favor of client on all claims and rejected all counterclaims, awarding approximately \$12 million, plus 100% of legal fees. Successfully defended the judgment on appeal, and the judgment (including fees) was largely affirmed.
- Represented an acquiring company and its executives in a failed business merger of tech companies. After eight days of arbitration, the matter settled very favorably for the clients.

- Prosecuted claims on behalf of clients alleging that they had been defrauded out of company shares. Prevailed on all motions and obtained a highly favorable financial settlement in excess of \$20 million.
- Represented client in a dispute regarding a Processing Agreement, bringing arbitration against the counterparty and its owner. After an eight-day arbitration hearing, the Arbitrator rejected all of the other side's claims and awarded client the full damages sought, approximately \$3 million, plus 100% of our legal fees.
- Represented client filing suit against landlord for breaching the duty of good faith and fair dealing. After trial, the court ruled in clients' favor on all claims and denied all the landlord's claims. Successfully defended the judgment on appeal, including a petition for certiorari to the Colorado Supreme Court.
- Represented clients who were defrauded into selling their company for substantially less than it was worth. After a six-day trial, the jury ruled in favor of my client on all claims and rejected the defendants' counterclaims.
- Represented client in suit alleging breach of fiduciary duty and breach of operating agreement. After a weeklong trial, the court rejected all counterclaims and awarded client nearly \$4.5 million, including post-judgment interest and attorney's fees.
- Represented client in suit against him claiming fraud. After a week-long trial, the jury found unanimously in favor of client on fraud claims.
- Successfully defended lawsuit brought against client for fraud and won countersuit for fraud and unjust enrichment after three-day bench trial.
- Successfully defended claims brought against clients for breach of fiduciary duty and malicious prosecution, among others. After six days of arbitration — and my cross-examination of the claimant — the other side agreed to drop their claims and walk away to avoid paying our legal fees.
- Represented a client whose contract with the state of Colorado was terminated without due process. Obtained a TRO against the state from enforcing the termination, and the matter settled favorably thereafter.
- Represented claims brought by the U.S. Attorney's office against a client caught on videotape allegedly paying a bribe to an undercover FBI agent to obtain a medical contract. The client was convicted after a two-week jury trial, but the 7th U.S. Circuit Court of Appeals reversed and ordered the client's immediate release, finding that he had been entrapped as a matter of law and making new law on the entrapment defense.
- Represented a major defense contractor in a qui tam lawsuit and prevailed on summary judgment.
- Represented a major infrastructure contractor in a qui tam claim related to numerous HUD projects. The matter settled favorably for the client the day before trial.
- Conducted many internal investigations for companies concerned about malfeasance.
- Represented dozens of clients in governmental investigations.

## Publications

March 2, 2026

**Your Trade Secrets Could Be the First Casualty of a Business Breakup: What Every Business Owner Needs to Know About Protecting Confidential Information**

*The National Law Review*

February 16, 2026

**Enforcement, Ethics and Litigating in a Politicized Landscape**

*Law Week Colorado*

October 16, 2025

**How Businesses Can Defend Against False Claims Act Probes**

*ColoradoBiz*

April 3, 2024

**When Is It Worth It for Your Company to Litigate?**

*Law Week Colorado*

August 2022

**3 Common Legal Mistakes Cannabis Entrepreneurs Make**

*Green Entrepreneur*

July 13, 2021

**How Not to Violate Federal Law with Text Message Marketing**

*MG Magazine*

May 2021

**How to Get the Most Value from a General Counsel Subscription Service**

*Denver Business Journal*

February 2021

**This Is What You Need to Know About Cannabis Banking Laws in 2021**

*Green Entrepreneur*

February 2021

**Top 5 Steps to Take Before Obtaining a Cannabis License in a Newly Legal State**

*Cannabis Business Executive*

January 2021

**Three Ways to Avoid an Acrimonious Business Divorce**

*Denver Business Journal*

November 2020

**Synthetic vs. Natural Hemp: A Legal and Labeling Minefield**

*Cannabis Business Executive*

September 2020

**The DEA's New Interim Hemp Rule Has Left Many Companies Confused**

*Green Entrepreneur*

August 2020

**The Risks and Rewards of International CBD Markets**

*Cannabis Business Executive*

August 2020

**What You Need to Know About Changes to California's Prop 65**

*Green Entrepreneur*

May 2020

**Justice for All? How COVID-19 Is Affecting Litigation in the Cannabis Industry**

*Green Entrepreneur*

February 2020

**For Colorado's Cannabis Companies, More M&A?**

*Denver Business Journal*

February 2020

**When the Magic Fades: Avoiding a Bad Canna-Business Breakup**

*Cannabis Business Executive*

January 2020

**Colorado Hemp Growers Should Pay Attention to New USDA Rules**

*Denver Business Journal*