



Risa Borowick Brown

Partner

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Risa is a commercial litigator and skilled appellate attorney who helps businesses navigate complex and high-stakes disputes in the state and federal courts.

Clients trust her to strategically review their cases, analyze complex issues and craft creative solutions to unresolved legal questions. Risa drafts compelling briefs to present the best possible position on appeal. As appellate counsel, she also works closely with trial counsel on how to best preserve issues for appeal, and she routinely handles dispositive motions, jury instructions and post-trial matters.

Risa also leads a thriving commercial litigation practice and is an integral member of the firm's Denver litigation team. She represents owners, developers, contractors, design professionals, commercial landlords and other construction and real estate sector clients in state and federal trial courts and arbitral forums. Her experience includes construction and design defect litigation, title insurance claims, easement and boundary line disputes, lien priority disputes and other real estate litigation matters.

Services

- Litigation
- Construction
- Real Estate
- Title Insurance
- Appellate Practice
- Real Estate Litigation

Representative Matters

- Secured reinstatement of a \$100+ million arbitration award in the Colorado Court of Appeals on behalf of a co-founder of a cannabis company.
- Established important legal precedent concerning damages for a tenant's breach of lease in a commercial landlord's appeal to the Colorado Court of Appeals.
- Defended a hospital before the U.S. Court of Appeals for the Ninth Circuit, securing a precedential opinion in a case brought under the Americans with Disabilities Act, the Rehabilitation Act, Affordable Care Act and California's Unruh Act.
- Vacated a \$6.5 million attorneys' fees award stemming from a construction defect arbitration in a developer's appeal to the Colorado Court of Appeals. Successfully defended against a petition for certiorari review by the Colorado Supreme Court.

- Represented a federal research and development lab in the U.S. Court of Appeals for the Ninth Circuit, successfully defending a summary judgment dismissal of federal and state discrimination and retaliation claims.
- Represented a property owner before the Colorado Court of Appeals in a dispute with a bank purporting to hold deed of trust encumbering property. Secured unanimous opinion, as well as denial of certiorari review from the Colorado Supreme Court.
- Represented the owner of a residential senior living community before the Colorado Court of Appeals in a case of first impression involving Colorado's Homeowner Protection Act of 2007.
- Represented a national homebuilder before the Colorado Supreme Court in a precedent-setting win for real estate developers in a case arising under Colorado's Common Interest Ownership Act.
- Secured a unanimous decision for a national homebuilder in the Colorado Court of Appeals, upholding a summary judgment involving statute of repose and constitutional arguments.

Before Fox Rothschild

Risa previously served as a judicial clerk for the Honorable Alan M. Loeb and the Honorable Robert M. Russel while they served on the Colorado Court of Appeals.

During law school, she worked as an intern for the Natural Resources and Environmental Section of the Office of the Attorney General and as an intern for the Colorado Water Trust. She also was elected to the board of the University of Colorado Law Review as Casenote and Comment Editor.

Prior to her legal career, Risa worked in real estate for Sotheby's International Realty, where she supervised pending sales and listing contracts and assisted with marketing and business development.

Beyond Fox Rothschild

A resident of Crested Butte, Colorado, Risa is active with her children's schools. She also participates in local bar and chamber of commerce events.

Risa previously served on the Executive Board of the Thompson G. Marsh Inn of Court in Denver, a professional association of attorneys devoted to supporting excellence, civility, professionalism and ethics in the practice of law.

Bar Admissions

- Colorado

Court Admissions

- U.S. Court of Appeals, Ninth Circuit

Education

- University of Colorado, School of Law (J.D., 2010)
- Vermont Law School (M.S., *magna cum laude*, 2004)
 - Environmental Law
- Dartmouth College (B.A., 2003)

Memberships

- Colorado Bar Association
- Denver Bar Association
- Colorado Defense Lawyers Association

Honors & Awards

- Selected to the "Ones to Watch" list for Environmental and Real Estate Litigation in Denver, CO by *Best Lawyers* (2023-2025)