

Jessica Black Livingston

Counsel

Denver

Biography

Jessica Black Livingston has a passion for helping clients avoid risk, understand litigation, and navigate disputes. As a commercial, appellate, and energy and natural resources litigator, Jessica offers clients a comprehensive approach, analyzing challenges from a judicial, business, and industry perspective. With an instinct for proactive resolution, she helps clients address contentious matters before they become actual disputes.

Jessica leads the firm's Denver Litigation group and serves on the mining leadership team for the global Energy and Natural Resources group. She counsels mining, energy, and oil and gas clients on environmental regulations, citizen-suit disputes, cybersecurity risks and threat responses, business integrity, corporate social responsibility, sustainability concerns, and general litigation matters. Her diverse experience includes representing mining clients in federal and state courts on matters in the Rocky Mountain region and throughout the United States.

As a member of the firm's Global Energy Studio, our Energy industry team think tank, Jessica engages with the latest energy sector developments and couples her legal advice with market insights.

In her commercial practice, Jessica advises on the full range of business-to-business disputes, including corporate and securities litigation and bankruptcy



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Languages

English

Practices

Commercial

Commercial Litigation

Energy Disputes

Environment and Natural Resources

Health

Infrastructure, Energy, Resources,
and Projects

Intellectual Property

Investigations, White Collar, and
Fraud

Litigation Services

Technology Litigation

matters. She also works with technology clients, advising on trade-secret, privacy, and data-security disputes.

As a former clerk for the Honorable Neil M. Gorsuch of the U.S. Court of Appeals for the Tenth Circuit in Denver (now associate justice of the U.S. Supreme Court), Jessica offers keen insight to the appellate arena. On matters of national importance, she helps clients make their voices heard in order to impact judicial decision-making. Before the Supreme Court, 10th Circuit, Colorado Supreme Court, and Colorado Court of Appeals she has filed amicus curiae briefs on behalf of clients on a wide range of matters.

Representative experience

Represented a state agency in a multimillion dollar dispute regarding water rights.

Assists healthcare services companies with internal investigations and advises them on litigation matters.

Advises technology companies on patent disputes, intellectual property and technology-related disputes, privacy and data security matters.

Counseled a national energy company in a citizen suit under the Clean Water Act and Resource Conservation and Recovery Act.

Successfully defended an appeal in the 8th Circuit, which affirmed the summary dismissal of a False Claims Act suit against her client.

Assists clients in mediating disputes and obtaining advantageous settlements.

Awards and rankings

- Colorado Rising Stars: Business Litigation, *Super Lawyers*, 2015-2021

Latest thinking and events

- Published Works
 - The United States Mining Laws *Springer Link – Encyclopedia of Mineral and Energy Policy*

Insolvency Litigation

International Trade Commission
Section 337

IP Litigation, Arbitration, and
Alternative Dispute Resolution

Corporate and Securities Litigation

Business and Human Rights

Industries

Energy and Natural Resources

Life Sciences and Health Care

Technology and Telecoms

Areas of focus

Alternative Dispute Resolution

Appellate and Supreme Court
Litigation

Class Actions and Group Litigation

Clean Water Act

Education and admissions

Education

J.D., University of Colorado School
of Law, 2009

B.A., Carleton College, magna cum
laude, 2006

Memberships

Member, Colorado Bar Association

Member, Denver Bar Association

Member, World Association of
Mining Lawyers

- News
 - TSA issues second cybersecurity directive for pipeline companies
- Webinar
 - Knowing your case inside out: How to make litigating easier through case mapping
- News
 - The Future of Mining | Technology
- Published Works
 - Encyclopedia of Mineral and Energy Policy - The United States: Mining Laws *Springer*
- Sponsorships and Speaking Engagements
 - The Colonial Pipeline hack and cybersecurity: Responding to a cyber attack

Bar admissions and qualifications

Colorado

Court admissions

U.S. Court of Appeals, Second Circuit

U.S. Court of Appeals, Eighth Circuit

U.S. Court of Appeals, Ninth Circuit

U.S. Court of Appeals, Tenth Circuit

U.S. Court of Appeals, Federal Circuit

U.S. District Court, District of Colorado

U.S. District Court, District of Nebraska

U.S. District Court, Eastern District of Texas

U.S. District Court, Western District of Wisconsin

U.S. District Court, District of Columbia

U.S. Court of Appeals, Seventh Circuit

U.S. Court of Appeals, Eleventh Circuit
