SQUIRE PATTON BOGGS

Cole A. Wist

Of Counsel

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About Cole

With an over three decades-long career in the public and private sectors, Cole Wist is a creative problem solver, a seasoned litigator and a principled, dedicated advocate.

Cole has represented clients in complex litigation and policy matters across the US and has served his community and state as an elected official. Over the course of his professional career, Cole has filled critical leadership roles in the legal profession, state government and the non-profit sector.

Recognized as one of Colorado's top labor and employment attorneys, Cole engages in a national practice, representing businesses and employers in a variety of matters, with a special emphasis on regulatory enforcement, workplace safety and health, crisis risk management and whistleblower litigation. He is regularly called upon to advise and defend employers in high-stakes litigation on a wide range of matters following occupational accidents and emergencies, and he has appeared as counsel of record in state and federal courts in over 30 US states. Cole has significant courtroom and arbitration experience and, as first chair counsel, has tried numerous complex cases to verdict. In addition to his litigation practice, Cole represents clients in regulatory enforcement matters before administrative agencies, including the Occupational Safety and Health Administration (OSHA), Mine Safety and Health Administration (MSHA), Pipeline and Hazardous Material Safety Administration (PHMSA) and Chemical Safety Board. Cole advises and trains employers regarding inspection strategies, liability prevention and crisis management. His experience also includes representation of employers on discrimination, retaliation and whistleblower claims.

In his public sector career, Cole served two terms in the Colorado House of Representatives and was selected as Assistant Minority Leader by his peers. During his tenure in the Colorado General Assembly, Cole served on the House Judiciary Committee, the House Business Affairs and Labor Committee and Legislative Council. Cole earned a reputation as a productive, bipartisan lawmaker who was not afraid to take on tough issues. He played a critical role in the passage of several landmark pieces of legislation, including: a bill to reform Colorado's judicial performance evaluation system; Colorado's sweeping data privacy and breach notification statute; a bill to reform the state's construction defect litigation process; a law creating an alternative dispute mechanism for open records disputes; and a civil rape shield statute to protect victims of sexual assault. Cole also represented Colorado as a Commissioner on the influential Uniform Law Commission, which provides states with non-partisan, well-drafted legislation that brings clarity and stability to legal reform and state statutory law. Cole's legislative accomplishments and policy work have been recognized by national and state organizations, including Colorado Coalition Against Sexual Assault, Colorado Civil Justice League and Mental Health America.

Cole's public service continued after serving in elected office. Following an appointment by the Colorado State Senate, he served as Chair of the Colorado Independent Ethics Commission.

Credentials

Education

- Georgetown University Law Center, J.D., 1988
- University of Denver, B.A., 1985

Admissions

- Colorado, 1991
- Utah, 1989

Memberships & Affiliations

- Denver and Colorado Bar Associations
- Utah State Bar
- American Bar Association
- Chair and Commissioner, Colorado Independent Ethics Commission
- Commissioner, Uniform Law Commission
- Uniform Law Commission
- Colorado Mesa University Board of Trustees
- Governor's Task Force on Civil Justice Reform
- Executive Committee, Colorado Lawyers Committee
- Coach, Regis Jesuit High School Mock Trial Team

Recognitions

- *The Best Lawyers in America*, Employment Law – Management, 2014 – present
- *Colorado Super Lawyers*, Employment & Labor, 2007 – Present
- Martindale-Hubbell, AV Preeminent Rating
- American Bar Foundation Fellow
- Colorado Bar Foundation Fellow

Expertise

Services

- Public Policy
- Litigation
- Labor & Employment
- Environmental, Safety & Health

Publications and Speaking

Publications

- Co-author, "Chapter 201: Mining Safety and Health," *American Law of Mining*, June 2024.

Engagements

- Author, "Workplace Violence: An American Secret," *ABA Labor and Employment Law*, Winter 2010.
- Co-author, *A Field Guide to MSHA: The Basics of Regulation By The Mine Safety and Health Administration*, 2009.
- Author, "Workers Comp 101," *Aggregates Manager Magazine*, February 2008.
- Author, "Debunking the Mystery of Negligence," *Coal Age*, February 2007.
- Author, "A Pattern of Things to Come," *Coal Age*, August 2006.
- Author, "Knowing and Exercising Your Rights Under the Mine Act," *Coal Age*, May 2005.
- Author, "Play Offense Instead of Defense," *Aggregates Manager Magazine*, April 2005.
- Author, "Don't Trip on the Paper," *Coal Age*, November 2004.
- Author, "Don't Let Language Barriers Endanger Employees," Denver Business Journal, May 2003.

Speaking Engagements

- Speaker, "Anatomy of an OSHA Serious Injury/Fatality Investigation: Are You Prepared," Employment Law Conference, May 2017.
- Speaker, "Minimizing MSHA Liability and Enforcement," Wyoming Mining Association, November 2014.
- Speaker, "Drugs in the Workplace," Employment Law Conference, October 2014.
- Speaker, "Crisis Management: What You Don't Know Can and Will Hurt You," Utah SHRM Crossroads Conference, September 2014.
- Speaker, "Regulatory and Policy Evolution: POV, S&S and the New Reality," National Western Mining Conference, April 2014.
- Speaker, "A Review of MSHA Legislation, Regulation and Policy," Industrial Minerals Association, March 2012.
- Speaker, "The Song Remains the Same - An Update on MSHA's Legislative and Regulatory Agenda," Industrial Minerals Association, March 2011.
- Speaker, "Regulators and Management: Friend, Foe or Something in Between," Society for Mining, Metallurgy & Exploration (SME), March 2011.
- Speaker, "The Bar Moves Again – MSHA's New Pattern of Violations Criteria," Industrial Minerals Association, October 2010.
- Speaker, "Seeing the Forest for the Trees: How Mine Act Liability Impacts Your Business' Bottom Line," Industrial Minerals Association, September 2010.
- Speaker, "Why Don't You Talk To Me Anymore? Understanding and Navigating MSHA's Citation Conference Procedures," Industrial Minerals Association, February 2010.
- Speaker, "MSHA Discrimination Complaints: How to Avoid Them and What to Do When You Get One," Industrial Minerals Association, December 2009.
- Speaker, "Headlines Produce Change: OSHA's Proposed Rule for Cranes and Derricks in Construction," Workplace HR & Safety Conference, December 2008.
- Speaker, "Crisis Management," Rocky Mountain Coal Mining Institute, June 2006.
- Speaker, "Community Relations and Crisis Management," National Western Mining Conference, February 1, 2004.
- Speaker, "OSHA Enforcement Trends," Colorado Division of Workers' Compensation Educational Conference, June 2001.
- Speaker, "Handling Special Investigations," California Mining Association, May 2000.

- Speaker, "MSHA Inspection Strategies," Colorado Safety Association, May 1999.

About our firm

One of the world's strongest integrated law firms, providing insight at the point where law, business and government meet. We deliver commercially focused business solutions by combining our legal, lobbying and political capabilities and invaluable connections on the ground to a diverse mix of clients, from long-established leading corporations to emerging businesses, startup visionaries and sovereign nations. More than 1,500 lawyers in over 40 offices across four continents provide unrivaled access to expertise.