



Herbert "Chip" Delap, Director

Dufford & Brown, P.C.
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Practice Areas

- Bankruptcy Law
- Litigation
- Workouts
- Environmental
- Estate Planning
- Probate
- Litigation & Trial
- Appellate
- Contract
- Commercial
- Natural Resources
- Mining
- Oil & Gas
- Surface Use Agreements

Education

University of Denver, College of Law,
J.D., 1972
Denver Law Journal
Member of the Board of Editors
Note Editor 1969
Lewis & Clark College, B.A., Political
Science, 1966

Admissions

Supreme Court of the State of Colorado
(1973), United States District Court for the
District of Colorado (1973), United States
Court of Appeals for the 10th
Circuit (1973), Supreme Court of the
United States of America (1986)

Military Service

1st Lt. U.S. Army, 1969-1972
Asst. Staff Judge Advocate 1972

Chip Delap, Director

A career-long trial lawyer, Chip has been lead trial counsel in litigation involving toxic substances, environmental (CERCLA/RCRA), personal injury (plaintiffs and defendants), real estate, securities (officer/director liability), bankruptcy (preferences, discharge and reorganization), business purchases and sales, oil and gas (joint interest billing, gas balancing and areas of mutual interest), as well as mining (claim disputes, land access and permitting). On the transactional side he has been in charge of natural resource transactional work (sales and acquisition) for a national full service law firm (involving primarily uranium and precious metals). Chip has also handled loan workout/reorganization of mineral properties as well as commercial properties.

Due to the aging of the "boomer generation" estate planning, asset protection and probate litigation have become a growth area in the last ten years. In addition to drafting or structuring plans, Chip has represented clients in will contests, trust management or mismanagement disputes, contested creditor claims in probate estates, guardianships and conservatorships for incapacitated adults and children.

Career Highlights

Structuring and sale of 11 uranium prospects to a publicly traded Canadian company for \$20 million (US)

Reorganization of a large uranium property owned by a common interest property ownership association

Achieved a \$1.5 million cash settlement and a 50 year CERCLA indemnification agreement for Eagle County School District concluding 6 years of Superfund Site litigation

As national coordinating counsel for Dallas Bank RTC loan portfolio purchases, negotiated restructured agreements or supervised litigation; never less than a 50% return on investments

Specially selected U.S. counsel for Canadian oil/gas royalty company. Closed company's first multi-million dollar acquisition of producing properties in the U.S.

Closed a \$2 million sale of Wyoming uranium prospect to the largest publicly traded Canadian uranium exploration and production company

Successfully defended a shopping center developer in the U.S. District Court from a trademark infringement claim in a shopping center exterior design and elevation



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Support Staff

Teresa Johnson
303-837-6350
tjohnson@duffordbrown.com

Carol Kelly
303-837-6329
ckelly@duffordbrown.com

Chip Delap, Continued

Career Highlights

Achieved a mid-six figure settlement plus an agreement to provide city water supply for family business property owners adjacent to Superfund Site (CERCLA and RCRA claim) whose water supply was destroyed by heavy metals

Successful counsel for a leading Colorado Supreme Court case on "long arm" tort jurisdiction based upon national advertising

Plaintiff's counsel for a leading Colorado case on an application of negligent misrepresentation in the sale of an insurance agency

Successfully represented a national asset based lender in a four-year litigation and involuntary bankruptcy proceeding against a truck dealership selling trucks out of trust

Guest speaker at Canadian Petroleum Tax Society on foreign ownership of U.S. mineral properties

Effectively represented a client developing and selling precious metals claims in Colorado, Wyoming, Montana and South Dakota

Saved a construction lender group over \$25 million and gained control of mixed use mountain property by successfully conducting a 6-week construction litigation trial involving over 100 lien claimants; 2 additional professional negligence suits against architects and structural engineers, as well as property tax valuation controversy with a local special improvement district

Lead trial counsel for all Colorado public buildings litigation for a national manufacturer of acoustical asbestos sprayed on ceiling plaster and fire proofing

Recovered over \$4.1 million for a publicly traded Canadian oil and gas company from a failed drilling program in Utah, recovering \$.10 per share for each outstanding share of the company's stock

Recovered limited partnership interests in a Wyoming uranium prospect from the bankruptcy estate of King Resources and The Colorado Corporation. Ultimately sold for \$11.5 million to a public utility

Created uranium exploration corporate structure which located and sold six prospects to various public utilities for a total sales price in excess of \$5 million

Represented real estate developers in acquisition of downtown Denver development sites resulting in over \$10 million in cash profits



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Chip Delap, Continued

Career Highlights

Represented a lender in permanent financing of Writers' Square and in refinancing of downtown Denver Hilton

Successfully represented lenders in a bankruptcy filed by a Greenwood Plaza developer of multi office buildings

Represented a national manufacturer of farm equipment in a products liability litigation

Represented a national building products manufacturer in all Colorado asbestos personal injury litigation

Successfully recovered, through litigation, ownership of a molybdenum mine in Revelstoke, British Columbia, Canada, for investors.

Member of the American, Colorado, and Denver Bar Associations

State of Colorado, United States District Court for the District of Colorado

United States Court of Appeals for the 10th Circuit

Supreme Court of the United States

Admitted for particular cases in California, Utah, Wyoming, New Mexico, Kansas, and Pennsylvania

Faculty Member, Canadian Petroleum Tax Society

Community Involvement & Affiliations

A 20-year member of both Colorado and Denver Bar Associations Legal Fee Arbitration Committees

Board of Directors:
Toy Wall Foundation
Colorado Senior Golfers

National and Rocky Mountain MS Society

Lewis & Clark College - Sports Hall of Fame