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Lenora (Leni) Plimpton

Partner

Lenora (Leni) specializes in employment and commercial litigation. She has experience with a wide range of employment and labor matters, including claims of age, race, and sex discrimination; disability discrimination; EEOC and CCRD charges of discrimination; mediations; arbitrations; and unemployment insurance audits.

Leni provides HR advice and counseling to companies of all sizes, from small start-ups and family-owned businesses to large multinational corporations. She has extensive experience litigating and counseling companies on a wide variety of workplace matters including:

- wage and hour;
- hiring and firing;
- meal and rest breaks;
- unemployment claims;
- employee classifications;
- employee, executive, and independent contractor agreements;
- bullying, harassment, and retaliation claims;
- workplace investigations;
- employee discipline;
- disability accommodations;
- paid and unpaid leave;
- executive severance agreements;
- employee releases, severance agreements, and settlement agreements;
- reductions in force;
- employment policies and practices;
- recordkeeping requirements and payroll;
- protected activity and policies under the NLRA (National Labor Relations Act);
- non-competition, confidentiality, and non-solicitation agreements;
- remote workers; and
- risk assessments.

After so much time working for the Courts, Leni loves appellate work and has a great deal of knowledge and experience in appeals, having drafted appellate briefs, petitions for certiorari, county court appeals, and appeals to the Colorado Industrial Claims Appeals Office.

Leni attended law school at the University of Utah in Salt Lake City and then served as a law clerk on the Utah Supreme Court (for the late Justice Ronald Nehring and former Justice Deno Himonas). She then moved to Denver to clerk for former Chief Justice Nancy Rice at the Colorado Supreme Court. Prior to joining Fortis in 2018, Lenora was an associate at Bryan Cave, LLP in Denver.

Practice Areas

- Employment law
- Labor law
- Employment Litigation
- Commercial Litigation
- Appeals

Bar Admissions

- Utah
- Colorado
- S District Court, District of Colorado
- S. District Court, District of Utah

Education

- Juris Doctor, University of Utah, S.J. Quinney College of Law – 2013
- Bachelor of Arts, Columbia University in the City of New York, Columbia College – 2007

Professional Affiliations

- Faculty of Federal Advocates
- Colorado Bar Association
- Colorado Women’s Bar Association
- American Bar Association
- Colorado Poverty Law Project, pro bono volunteer attorney

Honors & Awards

- [Named a Super Lawyers Colorado Rising Star](#) – 2021, 2022, 2023
- [Named U.S. News – Best Lawyers: Ones to Watch](#) in Commercial Litigation – 2021, 2022, 2023

Community Activities & Personal Interests

Leni has a very active life with her two young children, two dogs, and two cats. She enjoys gardening at her home in Lakewood. Leni’s husband, John, is a lawyer with the Colorado Public Defender’s Office. They met in contracts class in their first year of law school. When Leni has spare time, she loves checking out stacks of books from the public library, skiing, and baking.

Speeches & Publications

- Quoted: “[Check Your Paycheck: Deductions Start in January for Colorado’s New Family Leave Program](#),” Denver Post – Dec. 2022
- Author, “[3 Ways Employers Can Combat Quiet Quitting](#)” – [AllBusiness.com](#), October 2022
- Author, “[Family Leave Policy Considerations During, After COVID-19](#)”, HR Daily Advisor – July 2020
- Author, “[Respecting Transgender Rights in the Workplace](#)”, Best Lawyers – Sept. 2020
- “[Paid Leave Bills Address COVID-19](#)” [Colorado Law Week](#) – March 2020

Representative Cases

- Won a Tenth Circuit appeal of the dismissal of a technology company’s claims against former employees and their new employer. The Tenth Circuit unanimously ruled in the client’s favor on

three of four claims.

- Assisted with a trial involving a business contract dispute, in which the Fortis team obtained a successful verdict on one claim and a hung jury on the second claim.
- Won summary judgment dismissing claims of sex and gender discrimination in violation of Title VII and Idaho law alleged by a former employee. *Allred v. Home Depot*, 2019 U.S. Dist. LEXIS 110904 (D. Idaho 2019).
- Won motion to dismiss three of Plaintiff's five claims in a federal lawsuit where Plaintiff, a white former employee, claimed "reverse" race discrimination and disability discrimination. *Cunningham v. Home Depot*, 2019 U.S. Dist. LEXIS 92374 (D. Ariz. 2019).
- Defended large, multi-state equipment company in Utah contract dispute; negotiated favorable settlement of claims during lengthy private mediation.
- Obtained favorable settlement, during mediation at the CCRD, of age and disability discrimination claims brought by disgruntled former employee of a technology company.

