



Jacob A. Bruner

**Attorney**



Jake is a rare breed of attorney who is as comfortable in the courtroom as he is at the deal table. With unique, mixed-practice experiences in employment, business, and estate planning, Jake brings a wealth of knowledge to BMD after spending the last several years working at an elite national firm and a top employment boutique firm. Originally from the Cleveland area, Jake currently resides in Denver, is licensed to practice law in three states, and proudly serves as the firm's first resident attorney based in Colorado, where the firm continues to grow its entrepreneurial footprint.

## Contact Information

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## Education

**Cleveland Marshall College of Law**, J.D., magna cum laude

**Cleveland State University Monte Ahuja College of Business**, M.B.A., magna cum laude

**The Ohio State University**, B.A., magna cum laude

## Overview

Drawing on his MBA and finance-adjacent experience representing Fortune 500 companies, emerging startups, family businesses, and high net worth individuals, Jake now serves as the proverbial “family lawyer” by helping clients of all shapes and sizes “futureproof” their life and legacy through the preparation of comprehensive estate plans, general wealth tactics, and related tax advice. While Jake’s estate planning practice focuses heavily on helping Millennials, young couples, and family businesses prepare for what is expected to be the largest transfer of wealth in history – an \$80 trillion-dollar transaction impacting four generations – Jake serves clients at all stages of life and tailors his advice accordingly. Whether it’s helping young professionals prepare prenuptial agreements, pet trusts, and other simple estate planning documents; advising growing families during the baby-raising and wealth-accumulation phases of life; or counseling aging adults and their businesses in anticipation of incapacity and other end-of-life issues, Jake serves as a trusted advisor to families in Colorado, Florida, Ohio, and beyond.

Jake’s estate planning experience is rivaled only by his business and employment law expertise. A former advisor to multi-billion-dollar companies such as Red Lobster, Scripps, Marriot Hotels, and more, Jake’s half-decade of experience as a litigator and employment deal lawyer makes him uniquely qualified to help mom-and-pop companies navigate complex legal issues impacting their future. Jake regularly advises companies in mergers and acquisitions regarding employment law due diligence, including through policy drafting, compliance, and audits. Jake also advises C-suite officers, directors, and business owners regarding wage and hour disputes, medical leave and accommodation issues, discrimination and harassment complaints, restrictive covenants and trade secrets, health and safety concerns, and other employee relations topics.

**LISTEN. SOLVE. EMPOWER.**

Jake is not just an estate planning and employment attorney; he has also been an estate planning and employment client. In 2008, Jake experienced what so many of his clients' experience – unexpected family loss. In 2022, Jake was forced to take FMLA leave time away from work to recover from a serious medical condition. During his spare time, Jake also helps his spouse – a budding entrepreneur herself – run a growing business. Ultimately, Jake understands what his clients are going through and approaches every matter with the same level of compassion, reliability, and responsiveness that he would want under the same circumstances.

## Representative Matters

### *Estate, Tax & Wealth Planning*

- Won ~1.1MM verdict and ~900k attorneys' fee award on behalf of a local R&D tax consulting firm in bet-the-company litigation related to a software licensing dispute against a former business tax partner following a 7-day jury trial. (Titan Manufacturing Solutions, Inc. v. National Cost, Inc. (D. Colo. 2019)).
- Achieved multiple appellate court judgments in favor of the State of Ohio concerning the implementation and enforceability of a regulatory tax law worth \$1B that was challenged by 163 municipalities based on home-rule jurisdiction and was later adopted by the Ohio Supreme Court (City of Athens, et al v. Testa (Ohio 2019)).
- *Compiled trust and estate documents for close family members and assisted with the representation of siblings in contentious domestic proceeding.*
- Represented successor-in-interest to Silicon Valley Bank in \$1B financial services dispute.
- Engineered strategies to protect confidential data, IP, and other valuable employer assets throughout the U.S

### *Business & Corporate*

- Led and completed employment law due diligence to assist with the closing of multiple \$20MM+ asset-purchase transactions.
- Spearheaded the creation of an information wall across a 28-person unit of a medical software company to prevent unauthorized disclosure of third-party confidential information in anticipation of the client's development of a competitive product.
- Defended a local restaurant group from defamation claims brought by a famous YouTube personality in a case that received significant media attention for its First Amendment implications (W. 6th Restaurant Group, et al. v. Richard Bengton, et al. (N.D. Ohio 2017)).
- Forged a cannabis licensing appeal on behalf of a prospective cultivator following Ohio's passage of HB 523 legalizing the use of medical marijuana.
- Crafted a vendor-purchaser agreement on behalf of a local entrepreneur to facilitate the exclusive purchase of cosmetic products from an online marketplace.
- Authored professional design services contract on behalf of local photographer to facilitate the provision of travel photography services to Colorado residents.
- Drafted operating agreements and subscription agreements for small and mid-sized businesses in Ohio and Florida.

### *Employment & Labor*

- Drafted and revised 100+ contracts pertaining to corporate-adjacent issues (e.g., offer letters, employment agreements, confidentiality/IP, proprietary rights, NDAs, equity and stock options, executive compensation, taxation, separation, mutual release, etc.), including for family businesses with live-in ranch employees.
- Reviewed and updated 75+ handbooks and addendum policies pertaining to all aspects of the employment relationship (e.g., EEO policies, harassment, discrimination, retaliation, medical leave, wage and hour issues, health and safety, drug and alcohol, weapons, general work policies, etc.) for high net-worth families in Colorado.
- Overhauled recruiting company's compensation agreements and offer letters for sales employees to comply with applicable law and tie pay to specific performance metrics.

- Oversaw extensive wage and hour audit on behalf of major hotel companies plagued by compliance issues related to minimum wage, overtime pay, tipping, exempt status and duties, and other special circumstances arising under state and federal law.
- Directed investigation into allegations of harassment on behalf of healthcare system by conducting interviews with 8+ physicians/staff, drafting confidential summary reports, and consulting with C-suite executives regarding strategy and disciplinary recommendations.
- Obtained dismissal of 3-count EEOC charged filed against sports and entertainment vendor alleging unlawful discrimination and retaliation based on age, national origin, and ethnicity.
- Secured dismissal on behalf of grocery retailer of NLRB charge filed by union to accrete 10+ employees into bargaining unit.
- Guided client through FMLA interactive process and subsequent request for reasonable accommodations under the ADA to comply with applicable laws and eventually terminate an employee lawfully in connection with a reduction in force.
- Counseled local startups through the retention of contracts in foreign jurisdictions.

#### *Real Estate*

- Served as de facto general contractor on major residential remodel from the architectural design phase through final mechanical, plumbing, and building inspections, including in the wake of a 6-figure insurance disaster.
- Analyzed and reviewed detailed construction blueprints, contractor documents, Gantt charts, and change orders with an eye toward maximizing investment, increasing energy efficiency, and securing personal residence.
- Managed subcontractors and suppliers to ensure timely delivery of materials during all phases of construction.
- Drafted multiple commercial and residential lease agreements for use in both Ohio and Colorado.

## Professional & Civic Affiliations

- Senior Associate, Employee Defection and Trade Secrets at Fisher Phillips (2023)
- Associate, Labor & Employment at BakerHostetler (2018-2023)

## Practice Areas

Business & Corporate Law

Employment / Labor Law

Estate, Tax & Wealth Planning

Real Estate

Contact Jacob Today!