



## WILLIAM M. OJILE, JR.

### PARTNER

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Bill Ojile has over 30 years of experience advising, counseling and trying cases on behalf of companies.

Bill is trusted by senior management and boards of directors of companies of all sizes to bring an experienced and measured perspective to sophisticated legal, regulatory and business issues. Valued for his understanding of business complexities and his ability to bring forth creative solutions to address complicated issues, Bill's clients benefit from his 15 years of experience as a general counsel. Before joining Armstrong Teasdale, Bill served for almost six years as general counsel for a large, publicly traded telecommunications company and for nine years as general counsel of a multi-campus private college. In both positions, he had responsibility for all legal, regulatory, human resources, government affairs and compliance matters. This unique skill-set allows Bill to address and provide advice on a wide range of corporate legal issues.

Bill has tried many cases before and made appellate arguments to federal and state courts and administrative agencies across the country. These disputes have required Bill to oversee large teams of people and to manage legal, administrative, public relations and legislative issues, as well as formulating strategic direction, often simultaneously. Bill is adept at negotiating resolution of complex and multi-faceted legal and policy disputes. His extensive experience working with companies operating in the higher education, telecommunications and energy sectors translate well to other regulated businesses facing similar issues.

His transactional experience includes leading an IPO, a multi-billion dollar merger and numerous smaller transactions. Bill has extensive experience negotiating, drafting and enforcing the terms of significant contracts, including financing agreements, master services agreements, agreements with company executives and professional services agreements. He has implemented compliance programs for multiple companies and provides advice and counsel on all types of corporate governance issues.

### EDUCATION

- University of Nebraska-Lincoln College of Law (J.D., 1985)
  - Allen Moot Court Board
  - Order of the Barristers
- University of Nebraska - Omaha (B.S., *cum laude*, 1981)
  - Business Administration

### SERVICES AND INDUSTRIES

Alternative Dispute Resolution  
Governance and Compliance  
Litigation  
Marijuana Law  
Outside General Counsel  
Higher Education  
Technology

### ADMISSIONS

Colorado  
U.S. District Court, District of  
Colorado

## PROFESSIONAL ACTIVITIES

- Colorado Supreme Court Unauthorized Practice of Law Committee (Member, 2007-2014)
- National Association of College and University Attorneys (NACUA) (Member; Advisory Committee, *Journal of College and University Law*)
- Colorado Supreme Court Proactive Risk-Based Regulation Subcommittee (2016-2018)
- American Arbitration Association Commercial Panel (Member)
- Career Education Colleges and Universities (Member)

## CHARITABLE AND CIVIC INVOLVEMENT

- The Wayfaring Band (Chairman of the Board, 2015-present)
- University of Nebraska College of Law Space & Telecom Program (Advisory Board Member, 2009-present)
- Colorado Uplift (Board Member)
- Rocky Mountain Human Services (Treasurer of the Board of Directors, Board Member)

## ACCOLADES

- The Best Lawyers in America®; Commercial Litigation, Communications Law (2017-present)
- Certified Public Accountant Certificate, Nebraska, 1984
- Denver Business Journal Best Corporate Counsel Award (Finalist, 2013)
- Dallas Business Journal Best General Counsel Award (Finalist, 2003)
- 2014 Award of Distinction (Feature Writing), The Communicator Awards (For Managing the Court of Public Opinion During a Media Crisis)
- 2014 Award of Excellence (Feature Writing), Awards for Publication Excellence (For Managing the Court of Public Opinion During a Media Crisis)

## BACKGROUND

Before joining Armstrong Teasdale, Bill spent over 25 years working in corporate legal departments: over 11 years for a Fortune 50 telecommunications company in legal and executive positions of increasing responsibility; over five years as general counsel for a large, publicly traded telecommunications company; and over nine years as general counsel of a multi-campus private college.

## EXPERIENCE

### Sale of Assets of For-Profit Colleges

Served as sellers' counsel in sale of substantially all of the assets of a for profit college,

including counsel on regulatory and accreditation requirements and compliance.

#### **Favorable Resolution in Consumer Protection Lawsuit Seeking Multimillion-Dollar Damages**

Obtained favorable resolution of a broad-ranging Illinois Consumer Protection Act lawsuit seeking tens of millions of dollars in damages filed by the Illinois Attorney General against a multi-campus private school.

#### **Dismissal of Fraud, MMPA Case Against College Owner**

Secured dismissal of a case against the owner of a career training college after the college closed abruptly. The plaintiffs filed suit for fraud and violations of the Missouri Merchandising Practices Act alleging the college and its advertisements knowingly made false representations of student outcomes. After obtaining depositions from the two plaintiffs where they admitted they had no contact with the client, we also obtained sworn affidavits from former employees saying the client had no part in the day-to-day operations of the college or the drafting of its advertisements. The plaintiffs were unable to find witnesses to say otherwise and voluntarily dismissed the case.

#### **Reduced Financial Aid Liability for University**

Represented a private university in the appeal of a United States Department of Education program review. The school had been ordered to refund over \$500,000 due to problems found by the Department of Education in how the university verified student income and eligibility for financial aid. We drafted an appeal requesting that the department reduce the refund liability by \$133,000 and grant the university an administrative hearing. The department accepted the appeal without hearing and agreed to the reduction in liability.

#### **Favorable Settlement and Dispute Resolution for Hospitality Industry Client**

Successfully prosecuted claim for declaratory relief in U.S. District Court for the District of Colorado on behalf of business owner regarding a multimillion-dollar loan contract, resulting in favorable settlement for client and resolution of disputed loan terms.

#### **Regulatory Counsel for Animal Feed, Nutrition Product Manufacturer**

Provided counsel to a manufacturer of animal feed and other health and nutrition products regarding label compliance and regulation domestically and abroad.

#### **Represented Marijuana Business Owner in Dispute**

Represented an executive and owner of several marijuana cultivation and dispensary businesses in successfully resolving a wide-ranging business dispute with the co-owners of his businesses and negotiating favorable buy-out terms for his ownership interests in the various companies.

#### **Successfully Resolved Federal Suit for B-to-B Wholesale Client**

Successfully resolved through mediation a federal court lawsuit involving our client, a B-to-B wholesale website in the hemp products industry. The client was a co-defendant in a lawsuit alleging trademark infringement, breach of contract, breach of the implied covenant of good faith and fair dealing, tortious interference with a contractual relationship, civil conspiracy and false advertising. We brought counterclaims on behalf of the client to invalidate the plaintiffs' trademarks.

#### **Restructuring of Multi-State, For-Profit College**

Served as counsel to a multi-state, for-profit college in its restructuring and ultimate closure.

### **Trial Counsel in \$240 Million Suit for College Brought By Colorado Attorney General**

Served as counsel in a first-of-its-kind, five-day preliminary injunction hearing, winning a complete victory for a large career college, in which the Colorado Attorney General's office sought 21 separate, broad injunctions. Subsequently tried a four-week bench trial against consumer protection and lending claims where the Colorado Attorney General sought \$240 million. A decision in the matter is pending.

### **Successful Representation of Marijuana Law Client in Administrative Proceeding in Colorado**

Successfully represented a client with a retail cultivation license in an administrative proceeding brought by the Colorado Attorney General's Office and the Marijuana Enforcement Division. The client had been under a Summary Suspension and Rule to Show Cause Order for three months and was a few weeks from being evicted from his facility. Armstrong Teasdale was able to quickly secure a meeting with the government representatives and negotiate a resolution of the Show Cause that included no fine and minimal absence from the industry, which was the client's primary objective.

### **Defense in Deceptive Marketing Campaign for Private School**

Represented a private school in allegations brought by the Illinois attorney general claiming that their internet marketing campaign is inherently deceptive because of the search terms it bid on in its Google AdWords® account. Filed motions for summary judgment and obtained key concessions in depositions that negated the state's theory.

### **Defense Verdict for University System in Four-Day Wage and Hour Trial**

Secured a defense verdict for a for-profit university system in a four-day trial on a wage and hour claim under the Fair Labor Standards Act in U.S. District Court for the District of Colorado.

### **Resolution for College in Consumer Protection Litigation**

Represented client college in a consumer protection investigation and subsequent litigation brought by the Illinois attorney general. Following negotiations, the matter was resolved on favorable terms.

### **Reversed Trial Court Decision on Appeal for For-Profit College**

Represented for-profit college system in a wide-ranging consumer protection investigation brought by the Colorado Attorney General. Convinced the Colorado Court of Appeals to reverse a trial court decision that would have prevented the college from disclosing graduate employment statistics in accordance with accreditation standards. This ensured the college could present data on par with other colleges and universities.

### **Summary Judgment for University in Mass Arbitration**

Won summary judgment in favor of a private university in a mass arbitration brought by students claiming that the school had defrauded them into enrolling and withholding material information about the value of degrees awarded by the university.

## **THOUGHT LEADERSHIP**

February 15, 2018

### **Avoiding Erroneous Outcomes: Lessons Learned from John Doe v. Miami University**

January 1, 2017

**How to Help Students When Your College Closes**

The Chronicle of Higher Education

January 1, 2017

**How to Responsibly Close a College**

The Chronicle of Higher Education

December 19, 2016

**Department of Education Issues Final Rules on State Authorization**

November 21, 2016

**Court Rules Students Training in Clinics are Not Employees Under the FLSA**

October 28, 2016

**Eighth Circuit Reinstates FCA Case Over Changed College Grades, Attendance Records**

February 1, 2016

**Board Membership: Do You Know the Risks?**

LinkedIn

December 1, 2015

**Consumer Protection Law: What Your Business Needs to Know**

LinkedIn

December 1, 2015

**CFPB Rules Proposal may Drastically Impact School Arbitration Agreements**

Career Education Review

November 1, 2015

**Managing the Court of Public Opinion During a Media Crisis**

LinkedIn

October 16, 2015

**The Consumer Financial Protection Bureau Takes Aim at Class Action Waivers in Arbitration Clauses**

May 1, 2015

**When the Agency Comes Knocking: Defending a US Consumer Protection Investigation**

ACC Docket

March 1, 2015

**So you want to be a corporate director? Practical Considerations of Director Liability**

Career Education Review