



MERC PITTINOS
Director

Business Litigation

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MERC PITTINOS

Merc Pittinos focuses his practice on resolving real estate disputes. His work is litigation-focused rather than transactional, and he represents clients throughout Colorado.

Merc works with developers, landowners, landlords, brokers, investors, property owners, and other commercial real estate stakeholders in disputes involving real property. He helps clients resolve disputes arising from purchase and sale agreements, leases, loans, easements, covenants, title defects, boundary issues, development projects, and property rights. He has written and lectured on Colorado adverse possession and easement law and has helped educate Colorado commercial real estate brokers on how to avoid lawsuits.

Merc has represented developers in breach-of-contract, construction, and foreclosure actions; landlords in lease disputes; property owners in title, boundary, easement, and covenant disputes; and energy companies in title, lease, and joint-operating-agreement disputes involving real property.

Merc is a former member of both the Planning and Zoning Commission and the Board of Adjustment and Appeals for the City of Englewood. He was recognized by The Best Lawyers in America® for Real Estate Law from 2022 through 2026 and for Litigation – Real Estate from 2023 through 2026. He was also named a Colorado Super Lawyer for Real Estate from 2024 through 2026 and a Colorado Rising Star for Real Estate in 2013 and 2014.

Before joining Fennemore, Merc was the managing partner of Moye White LLP. He later served on Fennemore's Management Committee.

Merc has represented clients in jury trials, bench trials, and arbitrations, and has argued before the U.S. Court of Appeals for the Tenth Circuit, the Colorado Supreme Court, and the Colorado Court of Appeals.

EDUCATION

J.D., University of Denver, 2004

Managing Editor, University of Denver Water Law Review

B.A., Duke University, 1996

AREAS OF PRACTICE

Business Litigation

Agribusiness

ARTICLES AND PRESENTATIONS

Presenter, "Timely Commercial Real Estate Issues Every Broker Should Know to Avoid Litigation," Lurking Legal Issues, Denver Metro Commercial Association of Realtors, December 9, 2025

Interview, "[Merc Pettinos on Succession Planning](#)," Farm Broadcaster, Lorrie Boyer, May 29, 2025

Co-Author, "[Cross collaboration among Denver and Nogales lawyers fuels agribusiness knowledge, seeds positive culture and client relations](#)," Fennemore Blog, March 10, 2025

Author, "[Q&A: Why agricultural succession planning in Colorado is more important now than ever](#)," Denver Business Journal, March 1, 2025

Co-Author, "[Denver voters reject slaughterhouse and fur ban initiatives](#)," Fennemore Blog, December 11, 2024

Presenter, "Timely Commercial Real Estate Issues Every Broker Should Know to Avoid Litigation, Lurking Legal Issues," Denver Metro Commercial Association of Realtors, December 3, 2024

Co-Author, "[Economic Realities if Colorado Amendment 309 is Adopted](#)," Fennemore Blog, November 1, 2024

Presenter, "Risk Management – Brokers Behaving Badly: Risky, Silly and Annoying Things REALTORS do in Real Estate Transaction," Colorado Association of Realtors Leadership Symposium, October 15, 2024

Presenter, "Industry Update: Buyer and Seller Disputes," Heritage Title Company Webinar, April 4, 2024

Interview, "After 47 Years, Denver's Moye White to Wind Down After Most Lawyers Join Fennemore Craig," The American Lawyer, April 1, 2024

Interview, "Participants Discuss Remote Work Policies, Paperless Offices, Decreased Staff Utilization, AI Uncertainty," Law Week Colorado, December 18, 2023

Presenter, "Timely Commercial Real Estate Issues Every Broker Should Know to Avoid Litigation, Lurking Legal Issues," Denver Metro Commercial Association of Realtors, December 5, 2023

Interview, "How I Made Managing Partner," Law.com, November 22, 2023

Interview, "Moye White law firm makes 'unconventional' move to Denver's River North neighborhood," Denver Business Journal, October 17, 2023

Interview, "As Big Law Plunders Talent, Midsize Firms Embrace "Lifestyle" Firm Status," Law.com, September 27, 2023

Interview, "Moye White Names New Managing Partner, Other Leaders," Law360 Pulse, July 10, 2023

Presenter, "Industry Update: When Buyers and Sellers Sue Each Other," Heritage Title Company Webinar, April 5, 2023

Presenter, "Timely Commercial Real Estate Issues Every Broker Should Know to Avoid Litigation, Lurking Legal Issues," Denver Metro Commercial Association of Realtors, December 6, 2022

Author, "Avoiding Real Estate Litigation: Follow these suggestions," Colorado Real Estate Journal, November 2, 2022

Presenter, "Timely Commercial Real Estate Issues Every Broker Should Know to Avoid Litigation, Lurking Legal Issues," Denver Metro Commercial Association of Realtors, December 12, 2021

Presenter, "Industry Update: When Buyers and Sellers Sue Each Other," Heritage Title Company Webinar, September 2, 2021

Author, "How Pandemic-Related Executive Orders Impact Real Estate," Colorado Real Estate Journal, June 2, 2021

Interview, "Commercial Evictions in Boston: A Roadmap for the Future," Dwight Knell & Pete Stein, April 6, 2021

Presenter, "Timely Commercial Real Estate Issues Every Broker Should Know to Avoid Litigation, Lurking Legal Issues," Denver Metro Commercial Association of Realtors, December 10, 2020

Interview, "As Denver storefronts go dark, experts expect more vacancies, better deals ahead," Denver Post, November 8, 2020

Panelist, "A Legal Perspective on the Real Estate Industry: A Conversation on the Impacts of COVID-19," Moyer White Online Event, June 17, 2020

Interview, "Landlord sues Red Robin over unpaid HQ rent," Business Den, May 14, 2020

Co-Author, "Working with troubled tenants in the time of COVID-19," Colorado Real Estate Journal, April 13, 2020

Presenter, "Timely Commercial Real Estate Issues Every Broker Should Know to Avoid Litigation, Lurking Legal Issues," Denver Metro Commercial Association of Realtors, December 12, 2019

Interview, "Gravel pit could be unexpected neighbor to new Longmont subdivision," Fox 31 News, August 14, 2019

Presenter, "Understanding Adverse Possession, Land Laws for Civil Engineers and Land Surveyors," Half Moon Education Seminar, May 17, 2019

Interview, "Buyer beware: Oil and gas rigs may be closer than you think," Denver Business Journal, September 15, 2017

Presenter, "Defining Adverse Possession and Trespass, Boundaries and Easements," Half Moon Education Seminar, January 13, 2017

Presenter, "Defining Adverse Possession and Trespass, Determining Land Ownership and Access Rights," Half Moon Education Seminar, November 17, 2015

Presenter, "Procuring Cause," Colorado Association of Realtors Webcast, January 21, 2015

Panelist, Colorado Association of Realtors, Legal Panel, 2016 Convention, Sept. 22, 2016

Panelist, Colorado Association of Realtors, Legal Panel, 2014 Convention, October 21, 2014

Author, "Is Adverse Possession in Colorado Real Estate Dead?," Colorado Real Estate Journal, February 5, 2014, at 19

Presenter, "Quiet Title Actions: The Basics Plus Selected Advanced Topics," February 9, 2011

Author, "Adverse Possession after House Bill 1148, 37 Law. 73," November 2008

Presenter, "Quiet Title Actions: The Basics Plus Selected Advanced Topics," August 20, 2008

Authored chapter on adverse possession in Geoffrey P. Anderson, "Colorado Quiet Title Actions"

Author, "Gordon L. Allott, Sr., 36 Law. 29," July 2007

AWARDS AND HONORS

Best Lawyers in America[®], Real Estate Law, 2022 – 2026; Litigation – Real Estate, 2023 – 2026

Colorado Super Lawyers[®]: Real Estate, 2024-2026

Colorado Super Lawyers[®], Rising Star: Real Estate, 2013 – 2014

PROFESSIONAL AND COMMUNITY AFFILIATIONS

Member, American Bar Association

Member, Colorado Bar Association

All Souls Catholic Church, Finance Committee, 2023-Present

Professional Mentoring Program, University of Denver Law School, 2008-Present

Mentor, NAIOP Colorado Developing Leaders Program, 2024-2025

Planning and Zoning Commission, City of Englewood, 2015 – 2019

Board of Adjustment and Appeals, City of Englewood, 2011 – 2014

Alumni Council, University of Denver Law School, 2010 – 2016

Loan Repayment Assistance Program, University of Denver Law School

REPRESENTATIVE MATTERS

Commercial Contract Disputes

Successfully defended seller of commercial property in trial and appeal over purchase and sale agreement

Assisted both clients and brokers to resolve commission disputes, represented buyers and sellers of real property litigating disclosure and breach of contract disputes, and helped clients resolve HOA covenant disputes

Commercial Lease Disputes

Trial court victory representing owner of industrial building in dispute over lease renewal option

Successful resolution of dispute regarding replacement obligations under triple-net lease

Frequent representation of landlords in eviction proceedings

Assisted clients in oil and gas lease termination disputes involving option payments, shut-in royalty payments, and production sufficient to extend lease into secondary term

Obtained dismissal of suit challenging constitutionality of Weld County ordinance related to the siting of oil and gas facilities

Adverse Possession

Defended developer against adverse possession claim based upon use of property for rifle range in Steamboat Springs

Represented clients in adverse possession case at ranch in Elbert County, Colorado

Retained by ranching family to assist in appeal of adverse possession decision impacting property adjacent to Roaring Fork River near Aspen

Easements

Successfully represented homeowner in trial and appeal to declare historical easement agreement void

Assisted landowner in dispute to resolve whether access road was county road, private road, or public road by historic use

Filed lawsuit to protect historic access to 1,200-acre ranch in Routt County

Represented ditch company in suit over location and scope of ditch easement

Boundary Disputes

Represented client in property dispute based on historic movement of Arkansas River

Negotiated and drafted boundary agreement to address title problems on multiple sides of parcel in Boulder County

Successfully settled dispute involving claims against seller for breach of real estate contract and two neighbors over boundaries and easements

Real Estate and Mineral Rights Ownership

Filed quiet title action to protect client's interest in property that was held in domestic partner's name

Filed and defended multiple suits to resolve claims related to reversionary interests, wild deeds, the historical conveyance of leasehold interests in multiple transactions, the quantification of non-participating royalty interests, and scrivener's errors in deeds

Reformation

Sued more than 150 defendants in deed reformation action to successfully recover oil, gas, and mineral rights mistakenly conveyed in sale of agricultural land in Weld County

Lien Priority Disputes

Retained by bank to resolve dispute over priority of deeds of trust

ADMISSIONS

Colorado

Colorado Supreme Court

U.S. Court of Appeals for the Tenth Circuit

U.S. District Court – District of Colorado