



## Sommer L. Sheely

Partner



Sommer L. Sheely serves as Vice Chair of Litigation for the firm's Energy, Environmental and Utility practice. She focuses her practice on complex commercial litigation, including energy, environmental, and oil and gas litigation; business and partnership disputes; and complex fiduciary litigation.

She serves clients as lead trial counsel before federal and state courts and administrative panels. Over her career, she has served as lead counsel in numerous jury trials, bench trials, arbitrations and mediations. Her cases also often include pursuing and defending against injunctive relief.

Sommer believes in partnering with clients to achieve effective, efficient outcomes and in knowing her clients and their businesses. She delivers and encourages prompt and open communication. An active member of her legal and business community, Sommer focuses on strategic collaboration and in representing her clients' in a positive and professional manner in the court and public's eye.

Sommer's experience includes:

Assisted The Ohio State University and Ohio State Energy Partners to obtain certificate permitting construction of utility-scale combined heat and power facility in contested proceedings.

Pursued and achieved settlement prior to the start of depositions for all relief sought in \$68 million dispute between insurer and reinsurer.

Represented several large-scale solar developers to obtain access and permitting across the state.

Pursued and achieved settlement prior to the start of depositions for all relief sought in \$68 million dispute between insurer and reinsurer.

Achieved dismissal of more than a dozen putative class actions—prior to class certification—on behalf of a large international government vendor in collaboration with its client municipalities.

Successfully defended and resolved bet-the-company qui tam cases for a small fraction of amounts demanded.

Won directed verdict as lead trial counsel on behalf of a large national insurance company relative to claims of improper annuity payments and fraud.

Successfully defended multiple fiduciaries of large trusts and estates against claims of breach of fiduciary duty and other torts.

Won summary judgment in multiple federal lawsuits brought by former agents against a large national insurance company.

Achieved successful jury trial result in eminent domain litigation concerning the market value of real property.

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### CONTACT INFORMATION

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### COLUMBUS OFFICE

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### INDUSTRIES & PRACTICES

Manufacturing  
Insurance  
Environmental Law  
Energy  
Banking & Financial Services

## Bar Admissions & Activities

- Federal Bar Association, Civil Litigation and Energy Sections



# Sommer L. Sheely

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- Ohio State Bar Association, Civil Litigation Section
- Columbus Bar Association, Bar Admissions Committee
- Admitted: State of Ohio (2003); Commonwealth of Pennsylvania (2002)
- Admitted: United States Court of Appeals for the Sixth Circuit; United States District Courts for the Southern and Northern Districts of Ohio, Western District of Pennsylvania and Eastern District of Michigan

## Education

- The Ohio State University Moritz College of Law (J.D. with honors, 2002); Managing Editor, *The Ohio State Journal on Dispute Resolution*; National Moot Court team, national finalist and regional Best Oral Advocate
- Oxford University (2000), Summer Law Program
- Ohio Wesleyan University (B.A., history and pre-law, *magna cum laude*, 1999); Phi Beta Kappa

## Awards & Recognition

- Listed, *Best Lawyers in America* (Commercial Litigation), 2016–2021
- Listed, *Ohio Super Lawyers* (Business Litigation; Estate & Trust Litigation; Environmental Litigation), 2016–2021
- Listed, Top 25 Women Columbus, *Ohio Super Lawyers*, 2019–2020
- Forty Under 40 Honoree, *Columbus Business First*, 2015
- Rising Star, *Ohio Super Lawyers*, 2009–2015
- Ohio Women's Bar Foundation Leadership Institute, Inaugural Class, 2011–2012

## Presentations & Published Works

- Speaker, Ohio State Bar Association and National Business Institute, on litigation topics including: data breach litigation, class action defense, civil trial preparation, deposing and defending expert witnesses, e-discovery, and maximizing free online legal resources
- Moderator, Legal Developments Affecting the Workplace
- Panelist, Ohio Women's Bar Foundation Leadership Institute

## Professional & Community Activities

- Member, Women's Energy Network
- Past President, Federal Bar Association, Columbus Chapter



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- Past President, Ohio Women's Bar Foundation
- Co-Chair and Presenter, Ohio Women's Bar Foundation Leadership Institute
- Chair and Founder, Ohio Women's Bar Foundation Anniversary Gala
- Adjunct Faculty for Appellate Advocacy, College of Law at The Ohio State University
- Board of Trustees, Columbus Children's Theatre
- Team Bricker Captain and multi-year rider, Pelotonia
- Chair, Bexley Education Foundation Bravo! Fundraiser

## Experience

### Eminent domain jury trial

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Represented a local school district in an appropriation case to acquire property needed for new school facilities. The property that the school board needed to acquire had a dilapidated Victorian-style home that was used as a haunted house for three months out of the year. The landowner claimed that the land was a "special purpose" property that should be valued at a higher price than what was estimated by the school board's appraiser. The jury came back with a verdict that was approximately the same value offered by the school board prior to trial. In post-trial proceedings, the team was successful in stopping the landowner's attempt to stall the board's right to possess the appropriated property, so the board could continue on-schedule with the construction project.

### Lawsuits brought by former agents

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Won summary judgment in multiple federal lawsuits brought by former agents against a large national insurance company.

### Fiduciary defense

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Successfully defended multiple fiduciaries of large trusts and estates against claims of breach of fiduciary duty and other torts.

### Improper annuity payments and fraud

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Won a directed verdict as lead trial counsel on behalf of a large national insurance company relative to claims of improper annuity payments and fraud.

### Bet-the-company qui tam cases

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Successfully defended and resolved bet-the-company qui tam cases for a small fraction of the amounts demanded.



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## **Class action dismissal**

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Achieved dismissal of more than a dozen putative class actions, prior to class certification, on behalf of a large international government vendor in collaboration with its client municipalities.

## **Pre-deposition settlement**

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Pursued and achieved settlement prior to the start of depositions for all relief sought in a \$68 million dispute between an insurer and a reinsurer.

## **Judgment and injunctive orders**

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Obtained judgment and injunctive orders granting immediate property access for a pipeline company to survey and construct \$2 billion interstate natural gas project.

## **Traffic photo enforcement class action representation**

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Successfully represented the manufacturer of a traffic photo enforcement system in 14 class action lawsuits (all were dismissed) resulting in two Ohio Supreme Court decisions upholding the home rule powers of cities to enact ordinances allowing for such systems and upholding such systems against other constitutional challenges in multiple courts of appeals.

## **Agent lawsuits in 25 states**

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Represented a national insurance carrier in response to agent lawsuits in over 25 states.

## **Life insurance policy trial**

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Obtained a directed verdict in a Kentucky trial in defense of a national insurance carrier against a breach of trust claim.