



Anne Marie Sferra

Partner



Anne Marie Sferra is chair of the Appellate Advocacy group. She has trial and appellate experience litigating a wide variety of commercial and insurance cases, including class actions, ERISA, life and health claims, interpleader actions, bad faith claims and coverage issues. Anne Marie also has substantial experience handling many original actions, constitutional issues, tort reform issues and election law matters, including statewide initiative and referendum petitions.

In 2008, Anne Marie became the first Columbus-area attorney to be certified as an Appellate Law Specialist by the Ohio State Bar Association. Anne Marie is counsel on numerous *amicus curiae* briefs, primarily in the Ohio Supreme Court, on behalf of statewide and national organizations, including the Ohio Manufacturers Association, the Ohio Chamber of Commerce, the Ohio Hospital Association, the American Hospital Association, the American Insurance Association, and others.

Bar Admissions & Activities

- Ohio State Bar Association Certified Specialist – Appellate Law
- Ohio State Bar Association Appellate Law Specialty Board
- Member, American Bar Association; Ohio State Bar Association; Ohio Women's Bar Association; Columbus Bar Association
- Admitted, State of Ohio; United States District Court, Southern District of Ohio; Sixth Circuit U.S. Court of Appeals; Supreme Court of the United States

Education

- The Ohio State University Moritz College of Law (J.D., 1985); Member, Ohio State National Moot Court Team; Recipient, Best Oral Argument Award, Sixth Circuit Moot Court Competition
- Bowling Green State University (B.S., 1982)

Awards & Recognition

- Listed, *Best Lawyers in America* (Appellate Practice; Commercial Litigation), 2010–2022
- Recognized, *ChambersUSA*, Litigation: General Commercial with a Band 2 ranking, 2021; Band 3 ranking, 2011–2015, 2018–2020; Band 4 ranking 2008–2010, 2016–2017
- Recipient, 2021 Professionalism Award, Columbus Bar Association
- Listed, *Ohio Super Lawyers* (Appellate; General Litigation; Insurance Coverage), 2009–2021

CONTACT INFORMATION

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Anne Marie is among the best counsel we have used for insurance litigation throughout the United States. She achieves results without over-litigating and overcharging the file. She is a very easy person to talk with and gives prudent advice, even when it is different than what the client initially has in mind.

John Clendenin, Nyemaster, as quoted in Best Law Firms, 2019



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- Listed, Top 25 Women Columbus, *Ohio Super Lawyers*, 2013–2021
- Listed, Top 50 Women Ohio, *Ohio Super Lawyers*, 2016–2021
- Listed, Top 50 Columbus, *Ohio Super Lawyers*, 2017–2021
- Ohio Association of Civil Trial Attorneys Member of the Year, 2018
- Columbus Lawyer of the Year, *Best Lawyers in America* (Appellate Practice), 2014, 2018
- Listed, Top 100 Ohio, *Ohio Super Lawyers*, 2017
- Ranked, AV Preeminent, Martindale-Hubbell
- Recognized, *Columbus Business First's* "The Verdict," 2005
- Recipient, Columbus Jaycees' Ten Outstanding Young Citizens of Greater Columbus Award, 1996

Presentations & Published Works

- Author, "Arbitration: What to do when there is no right to appeal?" Ohio Association of Civil Trial Attorneys Quarterly Review, Summer 2019
- Speaker, "Panel Discussion on the Latest Developments in Litigation," Ohio Insurance Institute Continuing Legal Education Symposium, March 2019
- Speaker, "Appellate Practice Brief Writing," Ohio State Bar Association, November 2018
- Speaker, "Women in the Law Panel Discussion," DRI Annual Meeting, October 2018
- Speaker, "Sharing our Experience: How Women's Initiatives Can Impact Your Legal Practice Setting," Ohio Association of Civil Trial Attorneys, Women in the Law Seminar, June 2018
- Author, "Show, Don't Tell in Mediation," Ohio Association of Civil Trial Attorneys Quarterly Review, Spring 2018
- Speaker, "Appeals: The Basics – Technical and Procedural Requirements, Brief Writing, and Oral Argument," Ohio State Bar Association, September 2017
- Author, "Ohio apology statute covers admissions of fault," Bricker & Eckler Publications, September 2017
- Author, "Sixth Circuit Should Follow Lead of Tyson Foods and Reject Representative Evidence Use in FLSA Collective Actions," Washington Legal Foundation, June 2017
- Author, "Sorry seems to be the hardest word: Ohio's apology statute for healthcare providers," Ohio Association of Civil Trial Attorneys Quarterly Review, Winter 2017
- Speaker, "Mediation in Ohio Courts of Appeal," Ohio Courts of Appeals Judges Association, February 2017
- Speaker, "Appellate Practice - Brief Writing," Ohio State Bar Association, April 2016
- Speaker, "Appellate Practice - Brief Writing," Ohio State Bar Association, April 2015
- Speaker, "Appellate Brief Essentials Webcast," Ohio State Bar Association, February 2015
- Speaker, "Public Records for Private Universities," Association of Independent Colleges and Universities of Ohio, July 2015
- Speaker, "Appellate Practice Brief Writing," Ohio State Bar Association, April 2015



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- Speaker, "Appeals: The Basics – Technical and Procedural Requirements, Brief Writing, and Oral Argument," Paralegal Association of Central Ohio, January 2015

Professional & Community Activities

- Member, Defense Research Institute (DRI); State Representative for Ohio, Women in the Law (WITL) Committee, Appellate Law Committee, Insurance Law Committee
- President, Ohio Association of Civil Trial Attorneys (OACTA), 2014
- Member, The Matriots Board of Trustees
- Member, Legal Aid Society of Columbus Board of Trustees
- Coach, Ohio State University Moritz College of Law, Hinton Andrews Kurth Moot Court Team
- Member, Women for Economic and Leadership Development (WELD)
- Member, TWIG 3 (Children's Hospital)
- Former Chair, Supreme Court of Ohio Commission on the Rules of Practice and Procedure, Appellate Rules Committee
- Former member, Steering Committee for Franklin County Republican Judicial Salute
- Former member, Capital Area Humane Society Board of Trustees
- Former member, American Heart Association Board of Trustees
- Former member, Women Lawyers of Franklin County Board of Trustees

Experience

Class action lawsuit victory

Successfully argued before the Eleventh District Court of Appeals on behalf of the State of Ohio and the Ohio Department of Natural Resources (ODNR) in a case in which the plaintiff attacked the validity of a previously settled class action alleging that ODNR had unlawfully taken the private property of more than 13,000 property owners along Lake Erie's coast by incorrectly identifying the public/private boundary along the shore. The Court upheld enforcement of the settlement agreement and the civil contempt order.

Landmark court decision ends "eviction by affidavit" practice

Bricker lawyers successfully filed an amicus curiae brief to highlight and end the dehumanizing and negative ramifications of a decades-old "eviction by affidavit" practice on behalf of a number of organizations that serve vulnerable and underserved populations. For more details, please view Bricker's recap of the case.



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Workers' compensation settlement defense

Represented a medical center in defending a workers' compensation settlement that was challenged by an employee, who, despite agreeing to the settlement, argued that the settlement amount was insufficient to cover their interests for the reimbursement of medical costs. Defended this settlement in front of the Ohio Industrial Commission, which is the adjudicating body of the Ohio Bureau of Workers' Compensation, allowing the medical center to leave its fully negotiated settlement agreement intact.

Protection of BWC funds

Pursued injunctive relief against the Ohio Office of Budget and Management (OBM) on behalf of several national and state trade associations to prevent the OBM from using up to \$2 billion in Ohio Bureau of Workers' Compensation funds for state purposes. Secured memorandum of understanding on behalf of the associations prohibiting the OBM from raiding the funds and preventing other state agencies from taking similar action in the future.

Unanimous ruling against controversial ballot issue

Represented the Ohio Renal Association and defended against a controversial ballot issue related to the provision of dialysis services, receiving a favorable 7-0 ruling from the Ohio Supreme Court. The petitioners, who represented out-of-state interests, collected signatures to place an industry-altering price control measure in the form of an amendment to the Ohio Constitution on the November 2018 ballot. However, using state-of-the-art technology built by the firm, as well as the experience of numerous attorneys, Bricker's legal team proved that the petitioners violated Ohio law, disqualifying the issue from voter consideration. From reviewing ballots, analyzing petition signatures and serving as county counsel with local boards of elections to researching and analyzing the applicable laws and representing the client before the Court, more than 80 Bricker team members played a role in this substantial victory.

False Claims Act Supreme Court amicus brief

Drafted and filed an amicus brief on behalf of a managed care organization in an important False Claims Act case pending before the U.S. Supreme Court. The issues before the Court were whether and how the so-called "implied false certification theory" can be a basis for liability under the False Claims Act. The firm prepared an amicus brief on behalf of our client, which was very well received both by the client and petitioner's counsel.

Amici brief preparation for Ohio healthcare associations

Prepared an amici brief on behalf of the Ohio State Medical Association, Ohio Hospital Association and Ohio Osteopathic Association arguing for the plain language interpretation of an evidentiary statute. The statute governs the admissibility of statements made by medical care providers to patients in suits for medical malpractice.



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Federal bullying litigation

Successfully represented a school district in federal court against claims of bullying, disability discrimination under ADA and Section 504, and sexual harassment under Title IX.

Insurance class actions

Defended of numerous class actions involving insurance issues.

Computer software agreements

Served as trial counsel in various cases involving computer software agreements.

Class action lawsuit regarding appropriation proceedings

Represented the State of Ohio, the Ohio Department of Natural Resources and its director in a class action lawsuit brought by all Lake Erie lakefront property owners regarding appropriation proceedings for more than 10,000 parcels of land. The question before the court was whether the State's claim of public trust ownership to the ordinary high water mark (which was rejected by the Ohio Supreme Court) — whether made through general public statements, in specific lease negotiations or by other means — constitutes an unconstitutional taking of private property.

Noneconomic damage caps

Retained to file an amicus curiae brief on behalf of three organizations in support of the constitutionality of Ohio's noneconomic damage caps applicable to medical negligence cases.

Electric generation plant

Assisted in closing in excess of \$500 million of debt and equity financing for the construction of an Ohio-based 800 MW electric generation plant on behalf of an energy company. This transaction involved dozens of parties including lenders, equity investors, land sellers, railroads, gas pipeline companies, governmental entities, a title insurer and others.