

Amanda Martinsek

Partner



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Practices/Industries

- Complex Business Litigation
- Financial Services
- Class Actions

Education

Oberlin College
(B.A., 1985)

New York University School
of Law

(J.D., 1991)

Order of the Coif

Overview

Amanda is a business litigator with over 25 years of experience managing complex cases including class actions, shareholder derivative claims, product liability suits, and other corporate disputes. She has defended national and regional law firms against professional liability and other business tort claims.

Amanda's experience encompasses a variety of commercial disputes involving breach of contract, fraud, tortious interference, covenants not to compete, supplier agreements, and other business issues. She has both prosecuted and defended shareholder derivative and direct shareholder claims, and has represented directors and officers against claims brought under federal securities laws and various state laws. She also has experience representing policyholders against their insurers both in active litigation and through negotiation in cases involving a variety of issues such as liability insurance triggered by underlying litigation, conduct or alleged wrongdoing over extended periods, and multiple layers of coverage.

Amanda's background includes class action litigation brought under a variety of statutes, including securities laws, TCPA, state and federal consumer protection statutes, state and federal antitrust laws, and mortgage recording and UCC-1 statutes. She has been involved in the litigation of public works contracts, trust and estate issues, construction and manufacturing disputes, school law, employment claims, and real estate issues.

In addition to significant trial experience, Amanda has represented public and private clients in administrative proceedings and arbitrations. She has directed investigations into various issues including alleged Foreign Corrupt Practices Act violations and potential qui tam claims. Recently, Amanda led an investigation into a Fortune 500 company's handling of transactions in synthetic securities totaling \$1.1 billion.

Reported Cases

- *Eaton Corp. v. Weeks*, 2014 U.S. Dist. LEXIS 22530 (E.D. Michigan 2014)
- *Johnson v. KeyBank*, 2014-Ohio-120, (8th District Ohio Court of Appeals 2014)
- *Meyers Lake Sportsman's Club, Inc. v. Meyers Lake Pres., Inc.*, 2013-Ohio-3227, (5th District Ohio Court of Appeals 2013)
- *TattleTale Portable Alarm Sys. v. Calfee, Halter & Griswold, LLP*, 276 F.R.D. 573 (S.D. Ohio 2011)
- *Mills Van Lines, Inc. v. Prudential Real Estate & Relocation Services*, 2011-Ohio-3833 (8th District Ohio Court of Appeals 2011)
- *Parma Community General Hospital v. Premier Anesthesia of Parma*, 2011 U.S. Dist. LEXIS 11035 (N.D. Ohio 2011)
- *Gobble v. Hellman*, 2002 U.S. Dist. LEXIS 26833 (N.D. Ohio, 2002)
- *Mick v. Level Propane Gases, Inc.*, 203 F.R.D. 324 (S.D. Ohio 2001)

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Reported Cases (Cont)

- *Morales v. Coyle*, 98 F. Supp. 2d 849 (N.D. Ohio 2000)
- *Iron Workers Local Union No. 17 Ins. Fund v. Philip Morris, Inc.*, 186 F.R.D. 453 (N.D. Ohio 1999)
- *Village of Hills & Dales v. Ohio Dept. of Education*, 2007 Ohio App. LEXIS 4530 (Franklin Cty. Ct. of App. 2007)
- *State ex rel. Brewer-Garrett Co. v. MetroHealth System*, 2006 Ohio App. LEXIS 5222 (Cuyahoga Cty. Ct. of App. 2006)
- *Complete Personnel Logistics v. Patton*, 2006 Ohio App. LEXIS 3286 (Cuyahoga Cty. Ct. of App. 2006)
- *Huang v. Lanxide Thermocomposites, Inc.*, 144 Ohio App. 3d 289 (Cuyahoga Cty. Ct. of App. 2001)

Publications

- “Where Does Roe Go From Here?” Best Lawyers Legal Insights (June 2019)

Presentations

- “Will SCOTUS Uphold Reproductive Rights?” Best Lawyers Discussion Panel (July 2020)
- “Developments in Corporate Investigations: Has the Yates Memorandum Changed the Calculus?” CLE Seminar (October 2016)
- “The Ohio Civil Rules: Tools to Eliminate Delay, Expense and Other Impediments to Expeditious Justice,” CLE Seminar, Cuyahoga County Common Pleas Court (September 2016)
- “Building Your Communication Style: Finding Your Voice,” CLE Seminar, Women Leading Their Way to New Perspectives, Opportunities & Heights, Cleveland Metropolitan Bar Association (March 2016)
- “Navigating Ethical Minefields,” CLE Seminar, National Association of Minority & Women-Owned Law Firms Annual Meeting (October 2012)
- “The Ethics of Representing Corporations,” CLE Seminar (December 2011)
- “Rainmaking Speaker and Practical Business Development Strategies,” Ohio Women's Bar Foundation Leadership Institute (September 2011)

Involvement

Professional Affiliations

- Eighth District Judicial Conference (*Life Member*)
- Cleveland Metropolitan Bar Association
- American Bar Association
- Ohio Women's Bar Association
- Litigation Counsel of America

Community Involvement

- Federal Bar Association (*Board Member, 2015-present*)
- The Cleveland Orchestra Advisory Council (*Member, 2016-present*)

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Involvement (Cont)

Community Involvement (Cont)

- Cleveland Rape Crisis Center (Board of Directors, 2008-2013)
- Murtis Taylor Human Services System (*Board of Trustees, 2003-2010*)
- Ohio Women's Bar Association (*Trustee 2009-2010; Secretary and Member of Executive Committee 2010-2011; Trustee 2011-2015*)

Honors & Distinctions

- Named a "Woman Worth Watching" by Profiles in Diversity Journal (2019)
- YWCA Women of Professional Excellence (2019)
- *The Best Lawyers in America*, Appellate Practice (2017-2021)
- Designated *Best Lawyers* Appellate Practice "Lawyer of the Year" in Cleveland (2019)
- Named to the Ohio Super Lawyers list (2007-2020)
- Super Lawyers - Nationwide Corporate Counsel Edition for Business Litigation (2008-2016)
- Super Lawyers - Top 50: Women Super Lawyers, Ohio (2016; 2017; 2020)
- Super Lawyers - Top 25: Women Super Lawyers, Cleveland (2015-2017; 2020)
- "Notable Women in Law," *Crain's Cleveland Business* (2018)
- Named Law360 Female Power Broker (2014)
- "Leading Lawyer," *Inside Business Magazine* (2004-2013)
- Ohio State Bar Foundation 2011 Fellows Class

Admissions

- State of Ohio
- U.S. District Court, Eastern District of Michigan
- U.S. District Court, Northern District of Ohio
- U.S. District Court, Southern District of Ohio
- U.S. Court of Appeals, Sixth Circuit