

## **ANDREW S. POLLIS**

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### **EDUCATION**

Harvard Law School, J.D. *cum laude* 1990

- Member, Director, Harvard Legal Aid Bureau
- General and Executive Editor, *Civil Rights-Civil Liberties Law Review*
- Author, Third-Year Paper: "Rights Up in the Air: Protecting the Interests of Airline Passengers"

Brown University, A.B. *magna cum laude* 1986 (American Civilization/Italian Studies)

- Elected to *Phi Beta Kappa*
- Junior year at University of Bologna, Italy

### **CURRENT POSITION**

Case Western Reserve University School of Law, Cleveland Ohio, August 2008 to present (Visiting Assistant Professor)

Courses:

- Civil Litigation and Medication Clinic (Milton A. Kramer Law Clinic Center)
  - Students represent low-income clients in various civil litigation.
  - Course includes daily clinical supervision and weekly seminar.
  - Emphasis on legal writing (complaints, briefs, memoranda), pretrial discovery, trial skills, and mediation.
- Faculty Advisor, American Intellectual Property Association Moot Court Competition (2008-09)
- Appellate Practice (beginning in 2009)

### **PRACTICE EXPERIENCE**

Hahn Loeser & Parks LLP, Cleveland, Ohio, 1990 to 2008

- Litigation Associate, 1990-97, Litigation Partner 1998 to 2008
- Chair, Appellate Practice Group, 1998 to 2008
- Notable cases:
  - Successful appeal of trial court's grant of summary judgment to police officer in false-arrest/malicious-prosecution case. *Knox v. Hetrick*, 2009-Ohio-1359 (Ohio Ct. App. March 26, 2009).

- \$41.5 million jury verdict in Arizona state court for title insurance company against former employee who breached fiduciary duties and against competitor that aided and abetted breaches. *Security Title Agency, Inc. v. Pope*, 200 P.3d 977 (Ariz. Ct. App. 2008) (reinstating punitive damages at 1:1 ratio).
- Representation of title companies in numerous class actions involving alleged overcharging of real-estate recording fees. *See, e.g., Doll v. Chi. Title Ins. Co.*, 246 F.R.D. 683 (D. Kan. 2007) (denying class certification).
- Multi-district litigation involving oil industry's use of federally mandated oxygenate in gasoline and alleged effects of same on water supplies. Drafted and argued petition for writ of mandamus challenging district court's jurisdiction. *See In re MTBE Prods. Liab. Litig.*, No. 07-4290 (2d Cir. Nov. 16, 2007) (denying mandamus review of *In re MTBE Prods. Liab. Litig.*, 510 F. Supp. 2d 299 (S.D.N.Y. 2007)).
- \$43.2 million verdict in favor of title insurance company against competitor that had wrongly induced former employee to breach non-compete agreement. *Chicago Title Ins. Corp. v. Magnuson*, No. 2:03-CV-368, 2005 WL 2373430 (S.D. Ohio Sept. 26, 2005), *aff'd in part, rev'd in part*, 487 F.3d 985 (6th Cir. 2007), *cert. denied*, --- U.S. ---, 128 S. Ct. 1125 (2008).
- Series of commercial disputes between ExxonMobil subsidiaries and Saudi joint venture partner, including \$416.8 million verdict in contract/misappropriation case and U.S. Supreme Court case clarifying *Rooker-Feldman* doctrine. Decisions include:
  - *Saudi Basic Indus. Corp. v. Mobil Yanbu Petrochem. Co.*, 866 A.2d 1 (Del. 2005), *reh'g denied*, No. 493, 2003 (Del. Feb. 22, 2005), *cert. denied*, 546 U.S. 936 (2005).
  - *Saudi Basic Indus. Corp. v. ExxonMobil Corp.*, 194 F. Supp. 2d 378 (D.N.J. 2002), *vacated in part*, 364 F.3d 102 (3d Cir. 2004), *rev'd*, 544 U.S. 280 (2005).
  - *Saudi Basic Indus. Corp. v. ExxonMobil Corp.*, 401 F. Supp. 2d 383 (D.N.J. 2005).
- Successful defense on appeal of €1.7 million trial verdict for breach of partnership agreement involving sale of computer label-printing system. *Tharo Sys., Inc. v. cab Produkttechnik GmbH & Co. KG*, No. No. 05-3876, 196 Fed. App'x 366 (6th Cir. 2006).
- Successful defense on appeal of trial court's dismissal of claims against health insurer brought by plaintiff seeking reimbursement based upon coordination-of-benefits theories under ERISA. *COB Clearinghouse Corp. v. Aetna U.S. Healthcare, Inc.*, 382 F.3d 877 (6th Cir.), *cert. denied*, 543 U.S. 870 (2004).

- Successful appeal of multi-million-dollar age discrimination verdict against hospital system. *Olive v. Columbia/HCA Healthcare Corp.*, Nos. 75249, 76349, 2000 WL 263261 (Ohio Ct. App. Mar. 9, 2000).

Sugarman, Rogers, Barshak & Cohen, P.C., Boston, Massachusetts

- Summer Associate, 1989

Sirianni & Youtz, Seattle, Washington

- Summer Associate, 1988

Hendricks & Lewis, Seattle, Washington

- Litigation Legal Assistant, 1986-87

City of East Providence, Rhode Island

- Law Clerk, 1985-86

## **PUBLICATIONS**

Co-Author (with Judge Mark P. Painter), *Ohio Appellate Practice* (Thomson/West 2008-09 and 2009-10 editions).

Contributing Editor, *A Century of Legal Ethics: Trial Lawyers and the ABA Canons of Professional Ethics* (First Chair Press 2009).

## **PRESENTATIONS**

Presenter, “Appellate Jurisdiction,” Ohio Court of Appeals Judges Association, Maumee, Ohio, June 2009.

Presenter, “Litigation Section Annual Meeting and CLE,” Cleveland Metropolitan Bar Association, Cleveland, Ohio, June 2009.

Panelist, “Impact Litigation or Impact Education: Striking the Right Balance in Law School Clinics,” AALS Conference on Clinical Legal Education, Cleveland, Ohio, May 2009.

Moderator, “Trials and Tribulations: Ethical Dilemmas That Occur During Trial,” ABA Section of Litigation Annual Conference, Atlanta, Georgia, May 2009.

Presenter, “Raising the Bar: The Art of Appellate Practice,” Cuyahoga County Bar Association, Cleveland, Ohio, October 2007.

Presenter, “Annual Appellate Practice—Essentials,” Cleveland Bar Association, Cleveland, Ohio, May 2005.

Presenter, “Supreme Court Practice Update,” Cleveland Bar Association, Cleveland, Ohio, May 2004.

Presenter, “Annual Convention Seminar,” Ohio State Bar Association, Dayton, Ohio, May 2003.

Moderator, "The Scottsboro Trial: Seventy Years Later," ABA Section of Litigation Annual Conference, Boston, Massachusetts, April 2002.

Presenter, "Appellate Jurisdiction," Ohio Court of Appeals Judges Association, Geneva, Ohio, November 2001.

Presenter, "Final Appealable Order," Cleveland Bar Association, Cleveland, Ohio, March 2001.

Panelist, "Selected Issues in Appellate Practice," Cleveland Bar Association, Cleveland, Ohio, May 2000.

Presenter, "Annual Appellate Practice and Procedure Clinic," Cleveland Bar Association, April 2000.

### **OTHER TEACHING EXPERIENCE**

Harvard Law School

- Legal Methods instructor under Professor Martha Minow, 1989-90

Seattle Central Community College

- Italian Language Instructor, 1986-87

Brown University

- Italian Language Teaching Assistant, 1985-86

### **PROFESSIONAL ACTIVITIES AND ASSOCIATIONS**

Counsel to Appellate Rules Subcommittee of the Commission on the Rules of Practice and Procedure in Ohio Courts, 2009 to present.

American Bar Association, Litigation Section Leadership, 2001 to present

- Co-Chair, Appellate Practice Committee, 2001-04
- Co-Chair, *Amicus Curiae* Briefs Committee, 2004-05
- Co-Chair, Membership Committee, 2005-07
- Co-Chair, Ethics and Professionalism Committee, 2007 to present.

American Bar Association, Judicial Division, Appellate Judges Conference, Council of Appellate Lawyers

- Founding Secretary, 1999-2001

Ohio State Bar Association

- Chair, Litigation Section, 2004-06
- Founding Chair, Appellate Practice Committee, 2002-04

Cleveland Metropolitan Bar Association

- Chair, Litigation Section Appellate Courts Committee, 2007 to present
- Secretary, Litigation Section Appellate Courts Committee, 1999-2002

Cuyahoga County Bar Association

- Chair, Young Lawyers Section, 1992-93

## **ACKNOWLEDGMENTS**

- Certified as a specialist in Appellate Law, Ohio State Bar Association, 2008
- Included in *Best Lawyers in America* for appellate litigation, 2008-09
- Listed as one of *Law & Politics* Magazine's "Ohio Super Lawyers" for General Litigation, 2004-09

## **CIVIC/COMMUNITY**

- Coach Cleveland Heights High School Mock Trial Team, 2007 to present
- Lillian and Betty Ratner School Board of Trustees, Pepper Pike, Ohio, 2001-07
- Council Gardens Board of Trustees, Cleveland Heights, Ohio, 2004-06
- Cleveland Association of *Phi Beta Kappa* Board of Trustees, 2001-05, 2008 to present
- Tutoring for Ohio Proficiency Test, John Hay High School, Cleveland, Ohio, 2001-03
- Cleveland Bar Association "3R's" Program, East High School, Cleveland, Ohio, 2006-07