



## THOMAS H. FUSONIE

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### PRACTICE AREAS

Energy and Utilities

Litigation

### INDUSTRIES

Agriculture

Oil and Gas

### EDUCATION

Vanderbilt University Law School, J.D., 2001  
*Vanderbilt Journal of Transnational Law*, Student Writing Editor, 1999-2001

Hamilton College, B.A., 1998,  
*magna cum laude*

### BAR AND COURT ADMISSIONS

Ohio

Pennsylvania

U.S. Court of Appeals for the Sixth Circuit

U.S. District Court for the District of Colorado

U.S. District Court for the Northern District of Ohio

U.S. District Court for the Southern District of Ohio

U.S. Supreme Court

*Admitted to practice law only in the states listed above.*

Tom is a partner and a member of the litigation practice group. His practice is focused in oil and gas litigation, eminent domain litigation, constitutional rights, fiduciary litigation, employment litigation, real property and commercial disputes. Tom also has extensive experience before the Supreme Court of Ohio with extraordinary writs of mandamus and prohibition, having successfully obtained writs or other remedies from the Supreme Court of Ohio on numerous occasions.

### His notable experience includes:

- Jury verdict in eminent domain proceeding involving flooding of farmland in favor of landowner clients four times the original offer from the condemnor and obtained affirmance of jury verdict at the Court of Appeals
- Obtaining on behalf of a family farm a federal court order invalidating Toledo's Lake Erie Bill of Rights as unconstitutional on its face
- Obtaining affirmance from U.S. Court of Appeals for the Sixth Circuit of judgment in putative class action dismissing lawsuit seeking to invalidate oil and gas leases
- Obtaining a writ of mandamus against the Director of the Ohio Department of Natural Resources vindicating Ohio farmers' constitutional just compensation and property rights against the Director's ongoing violation of the same
- Obtaining a writ of mandamus against the Director of the Ohio Department of Transportation vindicating a Wendy's franchise's constitutional just compensation and property rights against the Director's ongoing violation of the same
- Maximizing compensation for landowner clients in various Ohio eminent domain lawsuits involving pipelines, transmission lines, road projects, bike paths and government flooding
- Jury verdict in favor of employer against former employees in a case involving misappropriation of trade secrets, breach of duty of loyalty and breach of non-compete agreement
- Vindicating farmers' First Amendment rights by pursuing Section 1983 First Amendment retaliation claim against Director of an Ohio state agency
- Briefing and arguing cases before U.S. Court of Appeals for the Sixth Circuit, Supreme Court of Ohio and the Ohio Court of Appeals
- Obtaining dismissals of lawsuits to void or terminate oil and gas leases
- Obtaining for a landowner a unanimous stay ruling from Supreme Court stopping a trial court judge from holding proceedings in violation of Ohio's Eminent Domain statute
- Obtaining temporary restraining orders and preliminary injunctions on behalf of companies seeking to protect their businesses from unfair competition
- Jury verdict in eminent domain proceeding involving land for a recreational trail of river frontage, farmland and development land in favor of the landowner client over five times

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the offer from the condemnor

- Maximizing compensation for commercial, industrial and residential properties involved in eminent domain with Pennsylvania Department of Transportation and Pennsylvania Turnpike Commission throughout Pennsylvania
- Representing various parties in claims involving estates or trusts
- Representing charitable remainder beneficiaries concerning the misappropriation of trust assets and concealment of same by a fiduciary for a charitable remainder trust
- Obtaining dismissals of employment discrimination cases in state and federal courts

Tom received his J.D. from Vanderbilt University Law School where he served as the student writing editor of the *Vanderbilt Journal of Transnational Law*. He received his B.A. *magna cum laude* from Hamilton College.

### Insights

"U.S. Supreme Court Defends Agricultural Employers' Fundamental Private Property Rights," June 25, 2021

"ADA "Website Accessibility" Lawsuits Target Online Retailers and Wholesalers," May 28, 2021

"Understanding the Legal Aspects of Precision Farming Data," May 14, 2021

"SCOTUS Hears Pivotal Property Rights Case," April 6, 2021

"Ohio Second Appellate District Affirms "Wedding Barn" Not Exempt from Building Code," November 24, 2020

"Proclamation Suspending Entry of Certain Immigrants for 60 Days," April 23, 2020

"Ohio Supreme Court Permits Agricultural Exemption to Local Zoning Regulation to Allow for a Barn to be Rented Out for Social Events," April 22, 2020

"Updates on COVID-19 Impact on the Agriculture Industry," March 27, 2020

"President Trump Signs Bipartisan Farm Bill," December 26, 2018

"Nuisance Lawsuits May Threaten Livestock Farmers," *Farm and Dairy*, November 27, 2018

### Professional and Community Activities

Ohio Oil and Gas Association, Member

Ohio Farm Bureau Federation, Member

Ohio State Bar Association Agricultural Law Committee, Member

## THOMAS H. FUSONIE

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American Agricultural Law Association, Member

Alumni Interviewer for Vanderbilt University Law School

Supreme Court of Ohio Lawyer to Lawyer Mentor

St. Thomas More Society, Member

Youth Hockey Coach

### Honors and Awards

*The Best Lawyers in America*, Commercial Litigation, 2016-2022

*Columbus CEO*, Top Lawyers in Columbus, 2015

*Ohio Super Lawyers Rising Stars*, Eminent Domain, 2013-2015

### Events

Eminent Domain Conference

May 17-18, 2018

Ohio Oil & Gas Association Winter Meeting 2018

March 9, 2018

Shale Drilling Disputes and Litigation Seminar

May 14, 2015