Tucker Ellis LLP



Benjamin C. Sassé

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Ben Sassé co-chairs the Tucker Ellis Appellate & Legal Issues Group.

Ben briefs and argues civil appeals in state and federal courts around the country. He has argued before the Ohio Supreme Court many times, establishing standards for Ohio employment intentional tort claims, treble damages class actions against public utilities, and attorney fees enhancements. Ben leverages that experience to pinpoint issues for Ohio Supreme Court review. He argues with no notes in a conversational style and is known for writing clear and concise briefs. Beyond appeals, Ben briefs and argues challenging trial court motions in high-stakes matters, demystifying complex legal issues.

Outside the courtroom, Ben enjoys a fulfilling life in rural Ohio with his wife of almost 20 years, son, cat, and dog. He is a committed volunteer at his church, reflecting his values and community spirit.

Education

- Case Western Reserve University School of Law (J.D., magna cum laude, 2000); Law Review, Articles Editor; Order of the Coif; Order of Barristers; National Moot Court Team
- Earlham College (B.A., with honors, 1997)

State Admissions

- Ohio, 2000

Federal Admissions

- Supreme Court of the United States
- United States Court of Appeals, First Circuit
- United States Court of Appeals, Second Circuit
- United States Court of Appeals, Third Circuit
- United States Court of Appeals, Sixth Circuit
- United States Court of Appeals, Seventh Circuit
- United States Court of Appeals, Eighth Circuit
- United States Court of Appeals, Ninth Circuit
- United States Court of Appeals, Eleventh Circuit
- United States Court of Appeals, Federal Circuit
- United States District Court, Northern District of Ohio
- United States District Court, Southern District of Ohio

Service Areas

- Appellate & Legal Issues
- Business Litigation
- Class Action Litigation
- Insurance
- Medical Malpractice Litigation
- Health & Life Sciences

Experience

- Argued and won Ohio Supreme Court appeal on power to award appellate attorney fees on remand
- Argued and won Ohio Supreme Court appeal on coverage for opioid addiction-related costs under commercial general liability insurance policy
- Argued and won Ohio Supreme Court appeal on the standard for calculating attorney fees
- Argued and won Ohio Supreme Court appeal on standing to bring class action against public utility
- Argued and won Ohio Supreme Court appeal on zoning decision
- Argued and won Ohio Supreme Court appeal on scope of Ohio's employment intentional tort
- Argued and won Ohio Supreme Court appeal on interest accrual under commercial mortgage note
- Argued and won Ohio appeal affirming legal malpractice verdict
- Argued Ohio appeal from jury verdict in defamation case
- Argued and won Ohio appeal on standard for personhood under Ohio law
- Argued and won Idaho Supreme Court appeal in putative class action seeking recovery of premiums paid for state-minimum underinsured motorist coverage
- Argued and won Michigan appeal on consolidation of cases in different circuits
- Argued and won Pennsylvania appeal addressing scope of malfunction theory of product liability
- Argued and won Sixth Circuit appeal addressing claim for revenue sharing under cellular tower lease agreement
- Argued and won Sixth Circuit appeal addressing claim for recoupment of utility undercharges
- Argued Seventh Circuit appeal on manufacturer's liability for asbestos in packaging materials
- Argued Seventh Circuit appeal on rail carrier's liability under the Carmack Amendment
- Argued and won Eighth Circuit appeal declining to certify class of insureds
- Argued Eleventh Circuit appeal addressing the accrual of a product liability claim for an alleged defect in a medical device

Publications & Events

SPEAKING ENGAGEMENTS

- "Conflicts of Interest and Other Ethics Issues: Pop Quiz," Tucker Ellis 2026 In-House Counsel Summit, Cleveland, Ohio (October 2026)
- "Supreme Court Term in Review," Tucker Ellis 2025 In-House Counsel Summit, Cleveland, Ohio (October 2025)
- "Cases from the Ohio Supreme Court," Supreme Court Year in Review, Ohio State Bar Association (December 2024)
- "Supreme Court Term in Review," Tucker Ellis 2024 In-House Counsel Summit, Cleveland, Ohio (October 2024)
- "Cases from the Ohio Supreme Court," Supreme Court Year in Review, Ohio State Bar Association (December 2023)
- "2022–2023 Supreme Court Term in Review," Tucker Ellis In-House Counsel Summit (October 2023)
- "Cases from the Ohio Supreme Court," Supreme Court Year in Review, Ohio State Bar Association (December 2022)
- "Supreme Court Year in Review," Tucker Ellis In-House Counsel Summit (October 2022)
- "Navigating and Arguing in the Ohio Supreme Court," 2022 OACTA Annual Meeting, Cleveland, Ohio (November 2022)
- "Public Nuisance Law," Ohio Insurance Institute Continuing Legal Education Symposium, Columbus, Ohio (March 2022)
- "Cases from the Ohio Supreme Court," Supreme Court Year in Review, Ohio State Bar Association (December 2021)
- "Attorney Fee Issues in Civil Litigation," The Ohio Association of Magistrates Fall Conference (October 2021)
- "The Supreme Court Year in Review," 2021 In-House Counsel Summit Webinar, Tucker Ellis LLP (October 2021)
- "Restatement of the Law, Liability Insurance (2019): How Will It Impact Ohio Law?", OACTA Insurance Coverage Virtual Seminar (April 2021)
- "Cases from the Ohio Supreme Court," Supreme Court Year in Review, Ohio State Bar Association (December 2020)
- "Supreme Court Year in Review," Panelist, 2020 In-House Counsel Webinar, Tucker Ellis LLP (September 2020)
- "Cases from the Ohio Supreme Court," Supreme Court Year in Review, Ohio State Bar Association (December 2019)
- "What Friends Are For: OACTA's Amicus Program and Strategies for Soliciting and Writing Amicus Briefs," 2019 OACTA Annual Meeting, Cleveland, Ohio (November 2019)
- "Supremely Appealing: Tips for Practicing Before the Ohio Supreme Court," The Cleveland Law Library Appellate Practice Seminar, Cleveland, Ohio (November 2015)
- "A Primer on Defending Insurance Class Actions," Ohio Association of Civil Trial Attorneys

(OACTA), Westfield Center, Ohio (April 2015)

PUBLICATIONS

- "Amicus Curiae Update," OACTA's *The Update* (Winter 2024, Winter 2011-2014)

MEDIA

- "Merit Decision: Court Tweaks Factors in Attorney-Fee Awards. *Phoenix Lighting Group, L.L.C. v. Genlyte Thomas Group, L.L.C*," *Legally Speaking Ohio* (April 2020)
- "What's On Their Minds: Should the Supreme Court of Ohio Update its Analysis for Calculating Attorney Fees? *Phoenix Lighting Group LLC v. Genlyte Thomas Group LLC*," *Legally Speaking Ohio* (September 2019)

Honors

- American Academy of Appellate Lawyers, Fellow
- Frank Seth Hurd Member of the Year Award, Ohio Association of Civil Trial Attorneys (2024)
- Outstanding Advocacy Award, Ohio Association of Civil Trial Attorneys (2019)
- Ohio Super Lawyers® (2015–2026)
- Ohio Super Lawyers Rising Stars® (2005, 2011–2014)
- The Best Lawyers in America® (2023–2027)
  - » 2025 Cleveland Lawyer of the Year – Appellate Practice

In the Community

- Ohio Association of Civil Trial Attorneys
  - » Past President
  - » Amicus Curiae Committee, Co-Chair (2011–2025)
- Cleveland Law Library Association
  - » President (2025–present)
  - » Board of Directors (2013–present)
  - » Audit Committee (2013–present)
- Mayfield United Methodist Church
  - » Executive Committee (2024–present; 2016–2022)
  - » Finance Committee (2024–present; 2016–2022)
    - » Co-Chair (2017–2022)
  - » Staff Parish Relations Committee (2022–present)
    - » Chair (2024–present)