Tucker Ellis LLP



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Jeff Sindelar develops winning strategies for clients in high-stakes litigation in trial and appellate courts across the United States.

Jeff has a proven track record of achieving victories for clients at the motion to dismiss and summary judgment stages of litigation and preserving those victories in courts of appeal across the country. Leveraging his background as an appellate lawyer, he works with trial teams to formulate and execute litigation strategies that maximize opportunities for success. He has successfully defended clients in matters involving antitrust, contract disputes, construction accidents, consumer class actions, copyrights, drug and medical device products liability, medical malpractice, and toxic torts.

Jeff devotes a significant portion of his practice to defending FDA-regulated medical devices and drugs in federal multidistrict and state court litigation and, as a result, has gained a thorough understanding of the Federal Food, Drug, and Cosmetic Act and FDA regulations. Jeff has also obtained wins for clients protecting their copyrights and trademarks from infringement, including in federal cybersquatting cases. He is frequently called upon to develop litigation strategy in high-profile, complex cases, including navigating contentious disputes regarding e-discovery.

Jeff began his legal career as a law clerk to the Honorable Deborah L. Cook, U.S. Court of Appeals for the Sixth Circuit. He then worked on John McCain's 2008 presidential campaign before entering private practice in Cleveland.

Jeff lives in Broadview Heights with his wife, Amanda, and their daughter and son. In his free time, he enjoys walks with his family, running, and exploring the trails of the Cuyahoga Valley National Park.

Education

- Harvard Law School (J.D., cum laude, 2007); Harvard Journal of Law and Public Policy
- Ohio Wesleyan University (B.A., summa cum laude, 2004); Phi Beta Kappa

State Admissions

- Ohio, 2008
- Illinois, 2007

Federal Admissions

- United States Court of Appeals, Eighth Circuit
- United States Court of Appeals, Ninth Circuit
- United States Court of Appeals, Tenth Circuit
- United States Court of Appeals, Eleventh Circuit
- United States District Court, Eastern District of Michigan
- United States District Court, Northern District of Ohio
- United States District Court, Southern District of Ohio
- United States Court of Appeals, Sixth Circuit

Service Areas

- Appellate & Legal Issues
- Business Litigation
- Class Action Litigation
- Construction
- Copyright Law
- eDiscovery
- Food, Cosmetics & Dietary Supplements
- Health & Life Sciences
- Internet Law & Domain Names
- IP Litigation
- Life Sciences Litigation
- Mass Tort & Product Liability
- Arbitration & International Disputes

Experience

- Prevailed on motion to dismiss on behalf of Internet technology company alleging proxy service provider could be held liable under the Anticybersquatting Consumer Protection Act based on domain name registration agreement's mandatory terms when proxy service failed to timely disclose identities of domain name licensees when presented with evidence of trademark infringement
- Obtained affirmance of dismissal of action against breast implant manufacturer before U.S. Court of Appeals for the Eighth Circuit, affirming district court's voluntary dismissal of action with prejudice against plaintiff who failed to justify motion for voluntary dismissal was not merely an attempt to avoid an adverse judgment in a federal forum on defendant's pending motion to dismiss
- Obtained affirmance of dismissal of action against Cleveland-area medical center before U.S. Court of Appeals for the Ninth Circuit
- Obtained affirmance of dismissal of four cases, involving 30 plaintiffs, against breast implant manufacturer before U.S. Court of Appeals for the Ninth Circuit, affirming district court's denial of motion to remand based on fraudulent joinder and dismissal of state law claims for failure to warn and manufacturing defect as preempted by the MDA; selected by LMG Life Sciences among its 2021 Impact Cases of the Year in the United States (Non-IP Litigation)
- Obtained affirmance of dismissal of claims against breast implant manufacturer based on express and implied PMA preemption in case before U.S. Court of Appeals for the Tenth Circuit, recognizing that any negligence per se theory premised on an MDA violation is necessarily preempted because only the federal government may enforce the MDA and that federal law impliedly preempts claims premised on alleged failures to properly conduct post-approval testing and reporting as attempts by private litigants to enforce the MDA; selected by Drug & Device Law Blog as the "best preemption decision" of 2021
- Developed and executed litigation plan in defense of opioid manufacturer regarding State of Ohio's damages allegations regarding the Ohio Bureau of Workers' Compensation
- Represented subscription television service company in preparing amicus brief to Ohio Supreme Court in case of first impression regarding interpretation of Ohio Fair Competition in Cable Operations Act
- Obtained dismissal of New Jersey state court action against leading automotive technology company in licensing dispute
- Obtained affirmance of dismissal of case against breast implant manufacturer before the U.S. Court of Appeals for the Ninth Circuit for strict product liability (manufacturing defect) based on express preemption under the MDA
- Obtained complete affirmance of summary judgment win for breast implant manufacturer before U.S. Court of Appeals for the Ninth Circuit based on MDA preemption and holding that district court did not err in excluding testimony of all three of plaintiff's proposed experts under *Daubert*
- Drafted summary judgment briefing on behalf of jeweler in copyright action against jewelry manufacturer and national retail chain store
- Obtained dismissal of appeal in wrongful death and survival action against nursing home in

Ohio state court of appeals based on pro se plaintiff's unauthorized practice of law
- Defended major hospital system in Ohio state court litigation arising out of fatal construction site accident
- Obtained affirmance of district court's denial of plaintiff's attorneys' fees motion under California's catalyst statute on behalf of nutritional supplement manufacturer in case involving auto-renewal statute before U.S. Court of Appeals for the Ninth Circuit
- Obtained summary judgment for medical device manufacturer on statute of limitations grounds in dozens of pelvic mesh MDL cases
- Negotiated favorable termination of software license agreement on behalf of client to resolve litigation
- Obtained complete affirmance of summary judgment win for military defense contractor before U.S. Court of Appeals for the Ninth Circuit, establishing in a case of first impression that a naval warship is not a "product" for purposes of product liability claims and affirming the substantial contributing factor test in asbestos exposure cases
- Obtained affirmance of district court's dismissal of complaint and denial of motion for leave to amend negligence and strict liability claims on behalf of military defense contractor before U.S. Court of Appeals for the Ninth Circuit
- Drafted briefing to exclude adverse event reports in Illinois state court pharmaceutical products liability case
- Represented software company in lawsuit to recover license fees based on unauthorized use of software, obtaining favorable settlement for client
- Negotiated favorable settlement on behalf of client in adverse possession case
- Defended diabetes medication manufacturer against product liability claims in state and federal courts, resulting in several complete defense verdicts
- Drafted *Daubert* briefing in prescription diabetes medication products liability MDL, resulting in exclusion of several opinions offered by former FDA Commissioner
- Drafted amicus brief on behalf of the Ohio Association of Civil Trial Attorneys in case of first impression interpreting Ohio workplace intentional tort statute
- Drafted brief for hospital system in Ohio state court of appeals, obtaining ruling upholding constitutionality and application of Ohio's noneconomic damages cap for medical malpractice actions
- Represented national consumer subscription content provider in putative antitrust class action litigation, obtaining dismissal of several counts on summary judgment and leading to favorable resolution for client
- Defended leading consumer products company in putative class action involving consumer fraud allegations

Publications & Events

SPEAKING ENGAGEMENTS

- "SCOTUS for In-House Counsel: What Changed, What Matters, What's Next," Tucker Ellis 2026 In-House Counsel Summit, Cleveland, Ohio (October 2026)
- "Legal Update," The ESOP Association's Ohio/Kentucky Chapter 2026 Spring Conference, Columbus, Ohio (March 2026)
- "Supreme Court Term in Review," Tucker Ellis 2025 In-House Counsel Summit, Cleveland, Ohio (October 2025)
- "Legal Update," The ESOP Association's 2025 Great Lakes Regional Conference, Sandusky, Ohio (October 2025)
- "Supreme Court Term in Review," Tucker Ellis 2024 In-House Counsel Summit, Cleveland, Ohio (October 2024)
- "Supreme Court Year in Review," Tucker Ellis In-House Counsel Summit (October 2022)
- "New Topics and Trends in Professional Liability," OACTA Webinar (November 2021)
- "The Supreme Court Year in Review," 2021 In-House Counsel Summit Webinar, Tucker Ellis LLP (October 2021)
- "The Constitutionality and History of Vaccine Mandates in the United States," The Bob Frantz Authority (August 2021)
- "Civil Liberties-Focused Supreme Court Term in Review," 2020 In-House Counsel Summit Webinar, Tucker Ellis LLP (November 2020)
- "Ohio's Bail Reform Amendments," The Bob Frantz Authority (January 2020)
- "The Supreme Court Year in Review," 2019 In-House Counsel Summit, Tucker Ellis LLP, Cleveland, Ohio (November 2019)
- "The Constitutionality of The National Popular Vote Interstate Compact," The Bob Frantz Authority (June 2019)
- The Todd Allyn Show, Legal Analyst
  - » "Judicial Misconduct in Pennsylvania and the Roger Stone Sentencing" (February 2020)
  - » "Harvard Fires Ronald S. Sullivan Jr. for Representing Harvey Weinstein" (May 2019)
  - » "The Mueller Report and Jussie Smollett Case" (April 2019)
  - » "Harvard Student Outrage Over Ronald S. Sullivan Jr. Representation of Harvey Weinstein" (March 2019)
- "The Supreme Court Year in Review," 2018 In-House Counsel Summit, Tucker Ellis LLP, Cleveland, Ohio (October 2018)
- "The Supreme Court Year in Review; 2016-2017 Term: Mapping the New Court's Uncertain Course," 2017 In-House Counsel Summit, Tucker Ellis LLP, Cleveland, Ohio (October 2017)
- "U.S. Supreme Court Round-Up," 2016 In-House Counsel Summit, Tucker Ellis LLP, Cleveland, Ohio (October 2016)
- "U.S. Supreme Court Round-Up," 2015 In-House Counsel Summit, Tucker Ellis LLP, Cleveland, Ohio (October 2015,)

PUBLICATIONS

- *eDiscovery: 2019 Year in Review*
- "Scheining a Light on Arbitrability: Not a Wholly Groundless Exercise," *Lingua Negoti* (January 2019)
- "Excluding Adverse Event Reports in Drug and Medical Device Cases," *Bloomberg BNA Pharmaceutical Law & Industry Report* (November 2015)
- "Of Form and Function: Lockean Political Philosophy and Mass Tort," 90 NEB. L. REV. 887 (2012)
- "Proteins and Fats and Carbs, Oh My! Escaping the Hysteria of Dieting in America," *Food & Drug Law: An Electronic Book of Student Papers*, Peter Barton Hutt, Ed. (May 2007)

MEDIA

- "Legal Tech's Predictions for E-Discovery in 2020," *Legaltech News* (December 2019)

In the Community

- Cleveland Association of Civil Trial Attorneys, President
- Cleveland Metropolitan Bar Association, 3Rs Program Team Leader
- Journey Center for Safety and Healing, Immediate Past Board President
- Harvard Law School Association of Cleveland
- Ohio Association of Civil Trial Attorneys
- Ohio Men's Action Network, Past Steering Committee Member
- Ohio State Bar Association
- Legal Aid Society of Cleveland, Time Well Spent Honor Society
- Stratford Village Neighborhood Association, Member at Large