

Fisher Broyles

Name: Anthony J. Calamunci, Esq.

Email: anthony.calamunci@fisherbroyles.com

Direct: (419) 376-1776

Office: Cleveland (Toledo Branch), Chicago, New York

Practice Areas: Franchising; General Corporate; Health and Pharmacy Law; Litigation – Civil Pretrial and Trial Services; Litigation & Risk Management; Regulatory Law & Government; White Collar Litigation and Investigations

Bar Admissions: Illinois; Michigan; New York; Ohio; U.S. Court of Appeals, Sixth Circuit; U.S. District Court, Eastern District California; U.S. District Court, Eastern District of Michigan; U.S. District Court, Northern District of Ohio; U.S. District Court, Southern District of Indiana; U.S. District Court, Southern District of Michigan; U.S. District Court, Southern District of Ohio; U.S. Supreme Court; U.S. Court of Federal Claims (October 28, 2015)

Education: Ohio Northern University Pettit College of Law, J.D., 1994; Alfred University; B.A., 1990

Experience: Roetzel & Andress, LLP, (October 2003- July 2015)

Mr. Calamunci advises pharmacies, health care providers, medical facilities, business owners, corporate executives, and in-house attorneys with respect to a variety of regulatory, corporate, licensing, franchising and corporate litigation matters. Although he practices within a wide range of health care related areas, he leads a team of highly successful healthcare / pharmacy litigators.

His litigation practice also expands to healthcare, business, public law litigation, and land use and zoning law. He has worked for a variety of private and public sector clients, prosecuting and defending complex claims for breach of contract, negligence, fraud, defamation, director and officer liability, environmental liability, and federal contracting claims.

Other areas of emphasis include franchise, distribution, licensing and supply chain law. He is counsel to a number of U.S. companies, in addition to some foreign companies as well. His clients include both regional and national healthcare and franchise companies. He is a frequent writer and speaker and adjunct professor.

Presentations & Teaching Experience

- National Community Pharmacists Association – NCPA (2018)
- ThoughtSpot: Employment Law: An Essential Primer Pharmacy Industry (September 2018)
- Employment Law: An Essential Primer” RBC Cardinal Health Conference (June 2018)
- “Employment Law” Webinar – National Community Pharmacists Association (NCPA) (December 2017)
- “PBM Update” National Community Pharmacists Association (NCPA) Annual Conference (October 2017)
- “*Developing Successful Programs for Multi-Unit Franchise Growth – One Size Doesn’t Fit All* (Franchisor Focus)” – panelist, Multi-Unit Franchising Conference – Las Vegas, Nevada (2011)
- “*Doing Business with Franchisees and the Ghost in the Room*” – program leader, USLAW Annual Conference – Chicago, Illinois (2011)
- “Developing Successful Programs for Multi-Unit Franchise Growth” – panelist, Franchise Leadership and Development Conference – Atlanta, Georgia (2011)
- “Legal Experts on Nontraditional and Traditional Development Strategies” -panelist, Franchise Leadership & Development Conference – Atlanta, Georgia (2010)
- “The Art of the Settlement“- National Business Institute (2008)
- “Advanced Trial Advocacy in Ohio” – National Business Institute (2004)
- “Fraud and Dischargeability” – Toledo Bar Association (2000)
- “Anti-kickback and Primary Care Network Liability” – Greater Toledo Primary Care Network (2000)
- “Mercy System PHO Liability and Legal Status” – (1999)
- “Paramount Provider Agreement, Legal Status” – Orthopledes, Inc. (1999)
- “Managed Care Contracting and Current Environment” – (1999)

Publications

- CBD and Cannabis Therapy | A Legal Snapshot, The Voice of Veterinary Pharmacy (Spring 2019)
- “Who is Protecting the Pharmacies When a PBM Unilaterally, Repeatedly, and Systematically Revises the Network Manual?” – Pharmacy Edge Magazine(May 2016)

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- “Site Selection: Guarding Against Lawsuits” – Franchise Law News (2011)
- “Good Management, or Greed? Item 8: Restrictions on Sources of Products and Services” – Franchise Law News (2011)

Representative Matters

- Franchise counsel for national and regional brands
- Presented oral argument to the Ohio State Supreme Court asserting fiduciary duties apply to all shareholders in a closely held corporation, especially when a 50% member creates a deadlock with the intent to force judicial dissolution
- Litigated on behalf of the Ohio Commercial Fisherman challenging the constitutional rights of license holders
- Argued before the Supreme Court of Ohio: *Susan Herbert et al. v. Janice Porter et al.*, Case no. 2006-0539

Accomplishments

- Peer Rated for Highest Level of Professional Excellence
- Accredited as a Certified Franchise Executive (CFE) by the Institute of Certified Financial Executives (2014)
- Recognized in “Who’s Who in Toledo Area Law” by *Toledo Business Journal* (2010 – 2014)
- Selected as an “Ohio Super Lawyers – Rising Star” by *Ohio Super Lawyers magazine* (2005-2007)
- Executive Producer and host of “*The Peoples Law*,” a law talk show televised weekly in the Toledo area (2002-2004)
- American Jurisprudence Award recipient for excellent achievement in the study of Trial Practice by Lawyers Cooperative Publishing (1993)
- Former Assistant Prosecuting Attorney for Lucas County, Ohio

Professional Affiliations

- American Bar Association
- American Health Lawyers Association

- Ohio State Bar Association
- Toledo Bar Association
- Illinois Bar Association
- New York Bar Association
- Michigan Bar Association

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