



Amelia A. Fogleman



Amy Fogleman is a Shareholder at GableGotwals. Her practice focuses on appellate law and complex commercial litigation. She represents numerous publicly-traded companies, Native American tribes, tribal businesses, and privately-held businesses. Amy has successfully represented clients in state and federal courts, including the Fifth, Eighth, Ninth, and Tenth Circuit Courts of Appeals and the United States Supreme Court. She has also facilitated numerous settlements in her role as an Adjunct Settlement Judge for the court-ordered dispute resolution program in the U.S. District Court for the Northern District of Oklahoma.

Prior to joining the Firm, Amy was a law clerk for the Honorable Stephanie K. Seymour, Chief Judge, U.S. 10th Circuit Court of Appeals and for the Honorable Sven Erik Holmes, U.S. District Judge, Northern District of Oklahoma.

She is the Chairperson for the Local Civil Rules Subcommittee for the Northern District of Oklahoma. Amy has also been involved in a number of community organizations, including serving as Secretary of the Board of Trustees for Holland Hall School and a member of the Board of Governors at the Summit Club.

Amy is a citizen of the Cherokee Nation.

Representative Appellate Experience:

- Representing numerous oncology groups and putative nationwide class in multidistrict litigation brought against drug manufacturer for underfilling drug vials. When the district court granted summary judgment against our clients on two types of federal preemption, we successfully appealed the judgment to the Tenth Circuit, which held the claims are not preempted and reversed and remanded the case to the district court.
- Representing a Fortune 50 energy company in Fifth Circuit appeal of order dismissing case brought against insurer for the loss of a well.
- Prevailed in Tenth Circuit appeal of order granting summary judgment against our client who asserts claims for breach of a commercial contract.
- Representing a national retailer in appeal of \$10.2 million adverse Oklahoma jury verdict based on wrongful death claim.
- Representing a national retailer in Oklahoma appeal of a personal injury verdict awarding substantial damages for pain and suffering to plaintiff who fell on the retailer's premises.
- Represented an aircraft manufacturer in obtaining reversal of order granting new trial in Oklahoma.

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Partner | Tulsa

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SERVICES

- Appellate
- Litigation (State & Federal)
- Native American Law and Gaming Law
- Class Actions/Multi-District Litigation
- Alternative Dispute Resolution
- Antitrust
- Energy, Oil & Gas
- Environmental

EDUCATION

- J.D., University of Virginia School of Law
- B.A. with honors, Oklahoma State University

ADMISSIONS

- Oklahoma
- Cherokee Nation
- United States Supreme Court
- U.S. Court of Appeals for the Fifth, Eighth, Ninth, Tenth, and, Federal Circuits
- U.S. District Courts for the Eastern, Northern, and Western Districts of Oklahoma

PROFESSIONAL AFFILIATIONS

- American Bar Foundation, Fellow
- Oklahoma Bar Association
- Tulsa County Bar Association
- Litigation Counsel of America, Trial Lawyer Honorary Society, Fellow

RECOGNITION HIGHLIGHTS

- **Chambers USA**, 2021-2025
Oklahoma Ranked Individual -
Native American Law (Band 3)
Litigation - General Commercial (Band 2)
- **Best Lawyers in America**, 2008-2026
Appellate Practice
Commercial Litigation
Litigation - Antitrust
- **Lawyer of the Year - Tulsa**
Appellate Practice-2013, 2023, 2024
Litigation - Antitrust-2015
Appellate Practice-2017, 2026

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- Obtained enforcement of a settlement agreement in Delaware Superior Court, which was affirmed by the Delaware Supreme Court.
- Successfully represented tribal businesses in an appeal of order permitting state agency to collect unpaid premiums for workers' compensation insurance from businesses. The North Dakota Supreme Court reversed, holding tribal sovereign immunity bars the agency's claims.
- Represented an energy company in case arising from terminalling agreements. With one narrow exception regarding the amount of prejudgment interest, the Delaware Supreme Court affirmed the judgment in favor of our client and, on our cross-appeal, reversed the trial court's finding of fraud.
- Obtained certiorari review by the Oklahoma Supreme Court of order denying attorneys' fees and ultimately received substantial fee award for our client.
- Successfully represented a medical practice in a suit brought by former partner. The Oklahoma Court of Civil Appeals affirmed the trial court's decisions to grant directed verdict in our clients' favor on wrongful discharge claim and to deny leave to amend the petition.
- Obtained a reversal in Oklahoma Court of Civil Appeals of default judgment entered against our clients as a discovery sanction.
- Represented an oil and gas company in Oklahoma on an appeal of \$2.4 million verdict for breach of joint operating agreement. A favorable settlement was reached after the appeal was fully briefed.
- Represented an energy company in an appeal to the Alaska Supreme Court of judgment requiring company to pay more than \$80 million for alleged environmental liabilities and denying its request for contractual indemnity from co-defendant.
- Represented patent owner in appeal of U.S. Patent Office's Decisions following *inter partes* review holding patents unenforceable.
- Represented appellants challenging entry of injunctive relief enforcing restrictive covenants entered in connection with the sale of a nationwide business. The Oklahoma Supreme Court stayed the injunction pending appeal and ultimately reversed in part and affirmed in part.

RECOGNITION HIGHLIGHTS (cont'd)

- **Benchmark Litigation**, 2026
Litigation Star
- **The Journal Record**
2025 Leadership in Law Honoree
- **Super Lawyers**, 2008-2025
Business Litigation, Appellate
Oklahoma Top 50 - 2022, 2024
Top 25 Women - 2022, 2023-2024

Other Commercial Litigation Experience:

- Represented tribal business in claims for breach of contract against pharmacy benefits manager.
- Defended a Fortune 500 energy company against environmental claims brought by the State of New Jersey. Obtained partial summary judgment requiring co-defendant to fully indemnify our client in the case.
- Represented a Fortune 500 oil energy company in a multidistrict antitrust proceeding brought against the client and other gas trading companies relating to alleged misreporting of natural gas prices.
- Represented a litigation trust in an auditor malpractice case against a major accounting firm in connection with the collapse of a large, privately-held company.
- Represented a partnership in obtaining mandatory preliminary injunction (and affirmance by the Tenth Circuit) requiring the investment manager to transfer to our client the title to oil and gas properties worth approximately \$1 billion.