



### Tomasita Luz Sherer

**Of Counsel**

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Tomasita Sherer is an experienced litigator in state and federal courts and a member of the Litigation & Regulatory Group. She focuses on commercial dispute resolution representing financial services, insurance and technology companies in breach of contract, fraud, misrepresentation, sales practices and "bad faith" cases. Tomasita also has extensive experience counseling companies on compliance programs and investigations and defending companies in class action and mass tort cases. In her practice, she helps her clients achieve their strategic goals with a business-minded and collaborative approach.

Before joining DLA Piper, Tomasita had a decade of experience working in-house at MetLife as Senior Counsel, where she handled a wide variety of litigation and regulatory matters involving insurance products, claims, and sales practices. She advised on risk mitigation, governance and compliance programs, oversaw nationwide litigation and arbitrations, and appeared on behalf of the company to resolve disputes in countless mediations. Tomasita also has significant appellate practice experience, successfully representing MetLife, briefing and arguing before several Federal District and Circuit Courts of Appeal.

In addition to her law practice, Tomasita is a leader in the New York legal community. She served as Vice-President of the Puerto Rican Bar Association and is a member of the Hispanic National Bar Association and the New York City Bar Association. She currently sits on the Board of Directors of the New York Women's Foundation. While at MetLife, she was founding Co-Chair of MetLife's Legal Affairs Pro Bono Program and Co-Chair of MetLife's Pipeline Programs Committee.

Tomasita is a mentor for DLA Piper's Latin American Women's Mentoring Program and a member of the firm's Diversity and Inclusion Committee.

### LANGUAGES SPOKEN

- Spanish

### RELATED SERVICES

- Litigation, Arbitration and Investigations
- Insurance and Reinsurance Disputes
- Investigations
- Employment
- Class Actions

### RELATED SECTORS

- Financial Services
- Insurance
- Media, Sport and Entertainment
- Technology
- Energy and Natural Resources

### LANGUAGES SPOKEN

Spanish

## EXPERIENCE

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### REPORTED DECISIONS

- *Mejer v. First Metlife Investors Ins. Co.*, No. 100754/2011, 2012 WL 9517912 (N.Y. Sup. Ct, N.Y. Cnty. Jan. 23, 2012)
- *Lin v. Metro. Life Ins. Co.*, 410 F. App'x 413 (2d Cir. 2011)
- *Kemberling v. Metlife & Annuity Co. of Ct.*, 368 F. App'x 63 (11th Cir. 2010)
- *Estate of Piper v. Metro. Tower Life Ins. Co.*, No. 07 Civ. 9548 (LTS)(GWG), 2009 U.S. Dist. LEXIS 69857 (S.D.N.Y. 2009)
- *Varshavskaya v. Metro. Life Ins. Co.*, 68 A.D.3d 855 (2d Dep't 2009)

### REPRESENTATIVE MATTERS

- Counsel for global property insurer regarding COVID-19 business interruption claims
- Counsel for alternative asset management firm before the NY Commercial Division in breach of contract and business tort dispute
- Counsel for Fortune 50 multinational conglomerate in complex employment dispute in Massachusetts
- Counsel for multinational financial services and technology company for multiple global employment matters
- Counsel for Fortune 100 financial services organization before Texas, Maryland and Massachusetts courts in various breach of contract disputes involving retirement plan products
- Counsel for global insurer in putative California class action case involving premium payment riders
- Counsel for wholesale distributor of prescription drugs in a multi-million dollar agency dispute in New York federal court, involving contract law and allegations of breach of fiduciary duty
- Counsel for long-term care insurance provider in case before Pennsylvania federal court involving breach of contract and breach of fiduciary duty claims

### REPRESENTATIVE PRO BONO

- Zambia Institute of Advanced Legal Education (ZIALE) (Teaching Project)
- City Bar Justice Center Immigrant Justice Project (VAWA Applications)
- New York Legal Assistance Group (Wills Program)
- Catholic Charities (Pro Se Asylum Workshop)
- Street Law (Corporate Legal Diversity Pipeline Program)

## CREDENTIALS

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### Admissions

- New York

### Prior Experience

- Before attending law school, Tomasita was a radio broadcaster and producer on syndicated stations including WINS AM and WCBS AM.

### Education

- J.D., Fordham University School of Law
- B.A., New York University

### Courts

- United States Court of Appeals for the Eleventh Circuit
- United States Court of Appeals for the First Circuit
- United States Court of Appeals for the Second Circuit
- United States Court of Appeals for the Third Circuit
- United States District Court for the Eastern District of New York
- United States District Court for the Northern District of New York
- United States District Court for the Southern District of New York

## Memberships

- Puerto Rican Bar Association
- Hispanic National Bar Association
- New York City Bar Association

## INSIGHTS

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### Publications

#### Personal and professional firsts

30 March 2021

We celebrated Women's History Month by spotlighting some of our women attorneys' personal and professional firsts.

#DLAWomenLeaders

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#### DLA Piper pro bono client receives permanent resident status under Violence Against Women Act

16 March 2020

After three years, a DLA Piper pro bono client has been granted permanent resident status under the federal law known as the Violence Against Women Act (VAWA).

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- Co-Author, "Seeking Justice for Older People Using the Power of the Law," *Philadelphia Bar Reporter*, February 2021
- Co-Author, "The Wisdom of Using AI for Middle Value Arbitration Disputes," *New York Law Journal*, June 5, 2020
- MetLife Fraud Detection Training Guide (2015)
- Co-author, "Mass Litigation: A 30-Day Survival Guide," (Defense Research Institute, 2004)

## Events

- Networking Strategies in the COVID-19 World, LatAm Women's Mentoring Program Webinar, May 2020
- Corporate Counsel Women of Color, Privacy Hot Topics, Chicago, September 2019
- MetLife Investigations, Controls & Advisory Services Town Hall, Rhode Island, April 2015
- Corporate Counsel Women of Color, Early Case Assessments, Atlanta, September 2015
- MetLife City Hall Compliance Training, New York, 2013

## NEWS

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## MEDIA MENTIONS

- "City Bar Justice Center Announces Honorees of 2017 Jeremy G. Epstein Awards for Pro Bono Service," City Justice Bar Center
- "Court Dismisses Eight of Nine Claims Against Insurer," New York Law Journal, January 13, 2012
- "'Brady': Second Circuit Upends Prosecutorial Practice," New York Law Journal, November 6, 2007
- "Evidence Was Suppressed In Murder Case, Court Rules," New York Times, July 13, 2001

### **DLA Piper works with General Electric on SeniorLAW Center Project**

18 June 2020

The SeniorLAW Center reached out to DLA Piper for assistance in preparing a research memo on COVID-related scams and fraud targeting the elderly and to prepare targeted flyers in plain English to inform the elderly population of ways to protect themselves.

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