

People

Sowmya Bharathi

Partner, Litigation

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Sowmya Bharathi is a first-chair trial attorney with extensive and broad federal court experience. She has tried 24 federal cases to jury verdict, many of which involved cutting edge matters of statutory interpretation and constitutional issues, as well as myriad experts. Sowmya tried an intricate multi-week bank and wire fraud case, defending a former pharmaceutical CEO against allegations by the FDIC and shareholders of a fraud exceeding \$140 million. She served as second chair on three potential death penalty cases, conducting nuanced and far-ranging investigations and presenting to the Attorney General's Capital Section – work that contributed to obtaining agreed settlements in high-profile and emotionally-charged cases. She also tried and litigated matters involving media disclosures and the First Amendment. She has conducted sensitive internal investigations, preparing and guiding high-level corporate executives through governmental agency interviews.

Through strategic planning and aggressive pretrial litigation, Sowmya has won several court-ordered dismissals of charges mid-trial, as well as government dismissals of six indicted cases pretrial. Dismissed matters included a national security case and a case that raised novel Second Amendment arguments.

Sowmya's range of experiences assisted her in securing clemency for individuals during both President Obama's and President Trump's terms.

Sowmya is an experienced appellate advocate. She has written over 20 federal appeals, including an *en banc* matter, and has argued before the Eleventh Circuit Court of Appeals. She has secured wins in the Eleventh Circuit, including a case that she litigated starting from a bench trial through authoring the appellate briefing that triggered a reversal on the papers. Most recently, she argued before Florida's First District Court of Appeals and secured a major appellate win for a national insurance carrier.

Sowmya previously worked at a mid-sized AmLaw firm in Chicago, where she defended corporate clients against contractual disputes,

Areas of Experience

Litigation
Commercial Disputes
Directors and Officers (D&O) Liability
Appellate
White Collar Crime and Government Investigations

Education

J.D., Chicago-Kent College of Law, 2004, *The Chicago-Kent Law Review*, Notes & Comments Editor
B.A., The University of Chicago, 1999

Admissions

Bars

Florida
District of Columbia
Illinois

Courts

U.S. Court of Appeals, Ninth Circuit
U.S. Court of Appeals, Eleventh Circuit
U.S. District Court, Northern District of Florida
U.S. District Court, Middle District of Florida
U.S. District Court, Southern District of Florida
U.S. District Court, Northern District of Illinois
U.S. District Court, Eastern District of Michigan

Related Content

Sowmya Bharathi to Speak on Transitioning from Private Sector to Public Sector
February 13, 2024

Record Number of Akerman Lawyers Named to *The Best Lawyers in America* 2024 Guide
August 22, 2023

Akerman Litigation Partner Sowmya Bharathi
Elected to Florida Justice Institute Board

employment discrimination claims, wrongful death cases, and overtime and wage disputes. Having established her reputation as a seasoned trial and appellate attorney, Sowmya is routinely called upon by the courts and national programs to speak and train on trial presentation and other federal court issues.

Notable Work

Franchise: Defended a national franchisor against multiple premise liability lawsuits involving allegations of sexual assault.

Governmental Investigations: Represented executives for an international media corporation throughout a sensitive governmental investigation.

Higher Education: Represented a medical school in a lawsuit brought by a dismissed student alleging claims for failure to accommodate a disability and fraud.

Insurance: Secured appellate win for national insurance carrier. Secured dismissal of lawsuit against national insurance carrier. Represented national insurance carrier in several significant appellate matters.

Manufacturer: Conducted an internal investigation for a leading manufacturer of cable and wire.

Tobacco: Represented a vaping device company affiliated with a large cigar manufacturer in the defense of breach of contract and fraud claims involving an exclusive distribution agreement, as well as the prosecution of counterclaims against the contracting party.

Utility: Represented a major power utility in multi-million dollar litigation involving closure of its ownership interest in coal-fired electric generating plant.

Related Professional Experience

- Southern District of Florida's Criminal Justice Act Panel, Panel Member, 2022-Present
- Federal Public Defender's Office for the Southern District of Florida, Assistant Federal Public Defender, 2006-2014; Supervisory Assistant Federal Public Defender, 2014-2021

Published Work and Lectures

- American Bar Association, 39th National Institute on White Collar Crime, Speaker, "Recent Developments in the Southern Region," March 6, 2024
- Miami-Dade Chapter of the Florida Association for Women Lawyers (MDFAWL), Moderator, "Making the Move: Transitioning from Private Sector to Public Sector," February 13, 2024
- National Institute of Trial Advocacy, Faculty, Building Trial Skills: Florida, October 11-14, 2023
- Miami Dade Bar, Speaker and Moderator, "The Most Effective Ways to Win with Experts and Evidence," March 31, 2023
- National Fellows Program, Speaker, "Juror De-Selection: Framing an Effective Voir Dire," February 16, 2023
- American Constitution Society, Interviewer, "Arguing Before the U.S. Supreme Court: A Talk with AFD Andrew Adler," June 30, 2022

- Miami Dade Bar, Cross-Examination, Probate Mock Trial, May 4, 2022
- Trying a Federal Case, Bench & Bar, Speaker/Panelist, Feb. 18, 2022
- The Litigation Counsel of America's 2022 Fall Conference & Celebration of Fellows, Speaker, "Visual Aids from Actual Cases: Lessons Learned," October 14, 2022
- American Constitution Society, Speaker, "Pathways to the Federal Public Defender's Office," June 18, 2021
- Defender Services Office, Speaker, "Authentication & Admissibility of Digital Evidence," May 7, 2021
- Defender Services Office, Speaker/Faculty, "Electronic Courtroom," 2021
- American Constitution Society, Speaker, "Eleventh Circuit Year in Review," March 5, 2021
- Florida International University, Honors College, Prof. Angela T. Puentes-Leon, Annual Speaker/Presenter, "Career in Criminal Law," 2018-Present
- ABA Panel, Speaker, "Best Practices in Preparing a Client to Testify at Trial, Speaker," January 22, 2021
- Federal Public Defender, Speaker, "Trial Director: Case Preparation & Presentation," October 3, 2019
- Dade County Bar Association, Bench & Bar, Speaker, "E-Discovery & How It Affects Our Practice," April 5, 2019
- Florida Association of Criminal Defense Lawyers, State Public Defender's Office, Speaker, "Technology in the Courtroom," November 11, 2018
- Law Day, U.S. District Court, Southern District of Florida, Speaker, May 11, 2018
- Federal Court Orientation for Newly Admitted Members of the Southern District of Florida, Speaker, "Use of Courtroom Technology & Practice," April 13, 2018
- Annual Criminal Justice Act Seminar, Speaker, "Attacking Minimum Mandatories & Guideline Enhancements," June 7, 2014
- The Florida Bar, Speaker, "Advanced Federal Practice: Issues in Defending Federal Crimes," January 31, 2014
- Florida International University, SABA Leadership Forum, Panelist, November 8, 2013
- FBA Women's Initiative, Speaker, "Social Media & the Courtroom," November 7, 2013
- South Asian Bar Association, Speaker, "Applying to be a Federal Magistrate," June 29, 2013
- Criminal Justice Act Panel Training Conference, Speaker, "GPS Tracking & Curtilage," June 7, 2011
- Chicago Labor & Employment Symposium, Speaker, "How Can It Be None of my Business When I'm Trying to Run One? Work-Related Privacy Issues from an Employer Perspective," August 2005
- Illinois State Bar Association, Sowmya Bharathi, 51 Trusts & Estates No. 3, "Illinois & HIPAA: Preemption, Identification of Personal Representatives, and Activated Status of Health Care Powers," March 2005
- Retail Register-Illinois Retail Merchants Association, Sowmya Bharathi, No. 249, "Retail and the Law: Military Leave Law Changes Impact All Employers," February 2005

Affiliations

- Litigation Counsel of America, Fellow
- Federal Magistrate Judge Merit Selection Panel, U.S. District Court for the Southern District of Florida, Miami, Florida, 2024
- U.S. District Court, Southern District of Florida, Ad Hoc CJA Panel Selection Committee, 2012-Present
- *Law360*, Trials Editorial Board, 2022-2023
- Florida Justice Institute, Board Member
- Defender Services, Administrative Office of the U.S. Courts, Defender Services Automation Working Group, 2020-December 2021
- Faculty, Offices of the Defender Services Training Branch, Techniques in Electronic Case Management, 2018-2021
- Federal Bar Association, Director, 2017-2020
- The Florida Bar, Grievance Committee, Member 2017-2020; Chair 2020
- South Asian Bar Association of Florida, Member
- Asian Pacific American Bar Association, Member
- Florida Association of Criminal Defense Lawyers, Member
- Florida Association of Women Lawyers, Member

Honors and Distinctions

- *The Best Lawyers in America*, 2024, Listed in Florida for Appellate Practice
- The Rodney Thaxton “Against All Odds” Award, Florida Association of Criminal Defense Lawyers, Miami, 2019
- Heartland Alliance for Human Needs & Human Rights, Volunteer Thanks, 2005