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Anthony J. (A.J.) Ferate

Of Counsel

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Overview

Anthony J. (A.J.) Ferate has built a multi-faceted background in the areas of the law, policy, energy, campaigns and elections, and defense for more than 20 years.

Through representation as Vice President of Regulatory Affairs for the Oklahoma Independent Petroleum Association (OIPA), A.J. held responsibilities over government efforts outside of the legislative branch on matters as broad as water, electric generation, commodity marketing, land matters, and seismicity. A.J. also maintained responsibility for legal matters at OIPA, including amicus briefing in appellate matters. A.J.'s extensive experience also includes management of public policy strategy for a Fortune 500 company.

After serving as General Counsel to the Oklahoma Republican Party for more than 12 years, A.J. was elected Chairman of the Oklahoma Republican Party in May 2022. He has also represented a number of elected officials, including U.S. Senator James Lankford, Governor Kevin Stitt, Congresswoman Stephanie Bice, Lieutenant Governor Matt Pinnell, former statewide elected officials, a number of state legislators, and members of Congress. A.J. has also served as a Presidential Elector on behalf of Oklahoma.

Additionally, A.J. has assisted elected officials in service to their constituents in all branches of government. Early in his career, A.J. held legislative aide duties in the Nebraska Legislature, then went on to work for former Nebraska Treasurer David Heineman. A.J. gained experience in the judiciary while serving Judge Gary L. Lumpkin at the Oklahoma Court of Criminal Appeals, the highest criminal appellate court in Oklahoma. Following this service, A.J. began work with Commissioner Denise Bode of the Oklahoma Corporation Commission, assisting her in her duties regulating 70 percent of Oklahoma's economy, including oil and gas and electric utilities. In 2021, A.J. served as General Counsel to the Miyares for Attorney General campaign in Virginia, then served in a lead role in the Attorney General-elect's transition office.

A.J. honorably served ten years as an intelligence analyst for the U.S. Naval Reserve, including time at the Office of Naval Intelligence in the greater Washington D.C. area.

Opinion pieces authored or ghostwritten by A.J. have been published in the *Seattle Times*, *Politico*, *Law360*, *The Oklahoman*, *Tulsa World*, and *The Journal Record*. A.J. has also been quoted in and interviewed for newspapers both in the U.S. and abroad. A.J. has also appeared on national radio programs including NPR's The Diane Rehm Show and On Point with Tom Ashbrook as well as Oklahoma City drive-time programs Mitchell in the Morning (KOKC) and The Trent England Show (KZLS). A.J. has also been interviewed by numerous local television affiliates across the country.

Education

- Oklahoma City University School of Law, 2006 (J.D.)
- University of Nebraska – Lincoln, 1999 (B.A.)

Bar Admissions

- Oklahoma, 2006
- Virginia, 2021
- Cherokee Nation, 2021
- Suquamish Tribal Court, 2023

Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Tenth Circuit
- U.S. Court of Appeals for the Armed Forces
- U.S. District Court for the Western District of Oklahoma
- U.S. District Court for the Northern District of Oklahoma
- U.S. District Court for the Eastern District of Virginia
- U.S. District Court for the Western District of Virginia

Distinctions

- *Best Lawyers in America*, Commercial Litigation; Government Relations Practice, 2024–2025

Memberships

- Oklahoma Governor's Task Force on Campaign Finance and Election Threats, Chairman
- The Federalist Society, Environmental Law & Property Rights Practice Group, Executive Committee
- Order of Malta
- Oklahoma Patient's Right to Pharmacy Choice Commission, Commissioner
- Oklahoma City Orchestra League
- Oklahoma Cornhusker Club
- Oklahoma City Assembly of Catholic Professionals

Presentations and Publications

- "[Oklahoma Political Campaigns Face an Urgent Problem. Let's Fix It.](#)" *The Oklahoman*, January 2025
- "[Climate Litigation at SCOTUS: Will the Court Grant Cert in *Sunoco v. Honolulu*?](#)" The Federalist Society, January 2025

- "Jump-Start Your Political and Advocacy Efforts for a New Presidential Administration," ACC Colorado CLE Dinner, January 2025
- "SCOTUS Unleashed," Midwest Environmental Compliance Conference, September 2024
- ["States Are Using Their Own Laws in Climate Change Lawsuits. But Federal Law Takes Precedence,"](#) *The Oklahoman*, May 2024
- ["Fairness and Impartiality Must Guide State-Court Climate Litigation,"](#) Federalist Society, November 29, 2023
- ["Texas Suit Highlights Oil And Gas Antitrust Concerns,"](#) *Law360*, July 6, 2022
- ["Courthouse Steps Decision: *Oklahoma v. Castro-Huerta*,"](#) Federalist Society, July 5, 2022
- ["Courthouse Steps Decision: *Denezpi and Yselta*,"](#) Federalist Society, July 1, 2022
- ["A Seat at the Sitting,"](#) *New York Times* Supreme Court Correspondent Adam Liptak, February 17, 2022
- "The Civil Side of McGirt," Conference of Western Attorneys General, December 15, 2021
- ["Rover Pipeline Case Shows Risks of Project Abandonment,"](#) *Law360*, May 26, 2021
- ["Courthouse Steps Teleforum: *Yellen v. Confederated Tribes of the Chehalis Reservation*,"](#) April 20, 2021
- ["Courthouse Steps Teleforum: *United States v. Cooley*,"](#) March 24, 2021
- ["Proposed Federal Election Law Not Good for Oklahoma,"](#) *The Oklahoman*, March 14, 2021
- ["Litigation Update Teleforum: *Apache Stronghold v. United States*,"](#) March 11, 2021
- ["What is En Banc?"](#) *Legal Terms*, January 6, 2021
- ["Courthouse Steps Decision: *McGirt v. Oklahoma*,"](#) The Federalist Society, July 10, 2020
- ["Point of View: Oil tariffs not the answer amid COVID-19,"](#) *The Oklahoman*, April 1, 2020
- ["How Montana Fossil Ruling Could Affect Oil And Gas Cos.,"](#) *Law360*, February 19, 2020
- ["Point of View: Tribes left with risky wager in gaming dispute,"](#) *The Oklahoman*, February 5, 2020
- ["Policy Brief: Dinosaur Bones & Mineral Rights,"](#) YouTube.com, December 16, 2019
- ["Courthouse Steps Decision Podcast: *Herrera v. Wyoming*,"](#) The Federalist Society, May 24, 2019
- ["U.S. Supreme Court to hear arguments in Murphy case Tuesday,"](#) *The Journal Record*, November 21, 2018
- "Do you own that well, and can you drill another?" Oklahoma City Mineral Lawyers Society, October 2018
- Testimony before the Oklahoma House Interim Study on Oil and Gas regulation, June 2008
- [Testimony before the U.S. House Natural Resources Committee](#)
- "Oil & Gas Perspectives on the State / Tribal Water Agreement," Oklahoma Water Law Conference, March 2017
- ["Docket Watch: *Hunsucker v. Fallin*,"](#) The Federalist Society, September 7, 2018
- ["A Major Contribution,"](#) *The Journal Record*, July 27, 2018
- ["A Lack of Understanding,"](#) *The Journal Record*, June 15, 2018
- ["A Sign of Progress,"](#) *The Journal Record*, June 1, 2018
- ["Economic Future in Question,"](#) *The Journal Record*, March 9, 2018
- ["Industry and Business Groups Support Supreme Court Action,"](#) *The Oklahoman*, May 21, 2018
- ["OIPA Challenges Effort to increase Gross Production Taxes,"](#) *The Oklahoman*, January 11, 2018
- Sample Radio Appearances include On Point with Tom Ashbrook, *NPR* (April 2015); The Diane Rehm Show, *NPR* (May 2015); Mitchell in the Morning, *KOKC* (July 2015); The Trent England Show, *KZLS* (12 programs from Nov 2015 –present); The Drive with Jason Doyle, *KTOK* (March 2017); The Jacki Daily Show, *The Blaze Radio* (June 2017).

Related Experience

- By 6-3 decision of the U.S. Supreme Court, successfully represented football coach Joe Kennedy in *Kennedy v. Bremerton School District*.
- Successfully represented opioid manufacturer as appellate counsel at the Oklahoma Supreme Court, overturning a \$465-million district court ruling and defeating a \$9-billion counter-appeal.
- Represented 16 state Attorneys General as *amicus* parties in COVID litigation before the U.S. Courts for the Western District of Oklahoma.

- Successfully argued two motions to dismiss on complex matters of an 1898 federal statute.
- Led oil and gas trade association as *amicus* participant before the 10th Circuit and U.S. Supreme Court in tribal jurisdiction case *Carpenter v. Murphy*.
- Represented petitioner in original jurisdiction initiative petition review before the Oklahoma Supreme Court.
- Represented former state Attorney General in investigation and trial culminating in jury trial clearing client of all 13 charges brought against him.
- Successfully guided negotiations to settlement with the EPA on behalf of nation's largest fruit and nut tree nursery in alleged Clean Water Act matter.
- Guided client through four-year audit of accounts by the Federal Election Commission ending with positive outcome.
- Successfully litigated on behalf natural gas utility before the Oklahoma Corporation Commission, securing first Asset Management Agreement approved by the Commission.

Clerk Experience

- Judge Gary L. Lumpkin, Oklahoma Court of Criminal Appeals