



Joseph M. Muska

Associate

Cleveland

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Practice Focus

- Litigation
- Business litigation
- Products liability and mass tort
- Data privacy litigation
- Energy
- Public utilities
- Real estate litigation
- Trade secret, non-compete and unfair competition
- Securities litigation
- Probate and trust litigation

Joe brings a committed passion, yet practical approach, to successfully resolving disputes for clients both inside and outside of the courtroom. He actively listens to clients and helps them evaluate their goals to provide the most direct and cost-effective means to achieve client-driven results. Joe prides himself in providing exceptional legal representation in every case, developing and implementing innovative strategies, formulating value-added solutions, and finding opportunities to minimize future risks. He also draws on experience from his temporary in-house counsel role for a publicly-traded Fortune 500 company.

Joe maintains a diverse practice representing both public and private entities and individuals throughout Ohio in federal and state courts. He represents and advises clients in connection with business and commercial litigation matters, such as contract, commercial landlord-tenant, securities, and uniform commercial code and warranty disputes. He also represents clients in estate and trust litigation matters, including will contests and other trust disputes or breaches of fiduciary duties. In addition to his business litigation and trial experience, Joe also has experience in representing natural gas distribution and transmission companies in civil litigation, including lawsuits involving fires and explosions, natural gas leaks, personal injury claims, and real and personal property damages. Joe's appellate practice covers every aspect of the appellate process from briefing to oral argument.

Prior to joining McDonald Hopkins, Joe practiced complex litigation nationwide at a prominent Cleveland firm. With an emphasis on multidistrict litigation, he primarily focused on consumer and commercial law class actions, product liability and mass tort litigation. He also practiced business and commercial litigation.

Consistent with the firm's commitment to community service and charitable support, Joe serves and supports various area charitable and community organizations.

Representative Cases/Matters

- Represented a Fortune 500 public utility company in real estate disputes and personal and property damage claims throughout Ohio
- Represented a construction equipment dealer in litigation matters and disputes throughout Ohio
- Represented a steel fabricator in contract and commercial litigation matters and disputes
- Represented a publicly traded real estate investment trust in commercial landlord-tenant litigation matters and disputes
- Represented an insurance brokerage company in a contract and business tort litigation matter
- Extensive experience in complex commercial class action litigation nationwide, achieving favorable results in multi-state warranty and consumer protection actions
- Represented a manufacturing company in uniform commercial code dispute involving consequential damages
- Represented local supplier in contract and construction litigation matters
- Represented developer in construction litigation matter
- Represented human resources management company in non-compete and trade secret litigation nationwide
- Represented local bank in litigation matters
- Represented private equity company in shareholder litigation matter
- Represented an industrial landlord in a breach of lease case
- Represented a natural gas distribution company in a real estate and statutory litigation matter

Admissions - Court

- Sixth Circuit Court of Appeals
- U.S. District Court for the Eastern District of Michigan
- U.S. District Court for the Northern District of Ohio
- U.S. District Court for the Southern District of Ohio

Admissions - State

- Ohio

Education

- Cleveland-Marshall College of Law
- Xavier University

Honors and Awards

- Selected for inclusion in *Best Lawyers: Ones to Watch* (2022)
- Fr. Peter J. Buschmann Award (recognized academic, leadership and service achievements)
- Selected for inclusion in *Ohio Rising Stars* (2017-2021)

Professional Membership

- Cleveland Metropolitan Bar Association
- Defense Research Institute

Public Service and Volunteerism

- Lorain Historical Society, Officer & Board of Trustees Member (2015 – present)
- Xavier University, Board of Executive Advisors for Economics (2021 – present)
- St. Edward High School Alumni Association, Member (2005 – present)
- The Legal Aid Society of Cleveland, Veterans' Pro Bono Clinic, Volunteer (2016 – present)
- Federal Bar Association, Northern District of Ohio Chapter, Board Member and Co-Chair of the Civics Committee (2020 – present)

Blog Posts

- Gov. DeWine signs bill reducing statute of limitations for breach of contract claims
- Commercial law lessons from history: Force majeure contract provision invoked during Spanish influenza pandemic of 1918 after government-imposed quarantine
- Selective enforcement defense is not available under Ohio law

News

- 50 McDonald Hopkins attorneys recognized in The Best Lawyers
- 15 McDonald Hopkins attorneys selected to 2021 Ohio Super Lawyers and Rising Stars list
- Seventeen attorneys at McDonald Hopkins named 2019 Ohio Super Lawyers and Rising Stars
- 22 attorneys at McDonald Hopkins named 2018 Ohio Super Lawyers and Rising Stars

External Publications

- “The Telephone Consumer Protection Act and Its Impact on Virtually Every Industry: Recent Trends and Compliance Tips,” Cleveland Metropolitan Bar Journal, January 2015
- “Civil RICO’s Strategic Application in Complex Civil Litigation,” Cleveland Metropolitan Bar Journal, May 2013

Events

- Civil Rules Update | Saturday, December 5, 2020
- Commercial Litigation Update | Saturday, December 7, 2019
- How to Protect Business Information in 2017 | Thursday, March 2, 2017
- Legal Eagles Year End Update | Saturday, December 3, 2016

