



**Joseph M. Muska**

**Associate**

**Cleveland**

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**Practice Focus**

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

Joe brings a committed passion, yet practical approach, to solving clients' problems in litigation and disputes. As an attorney at McDonald Hopkins LLC, Joe commits to represent clients with integrity and vigor. He takes pride in developing and implementing innovative strategies for clients, enabling them to efficiently achieve their goals.

Joe maintains a diverse practice representing both public and private entities throughout Ohio in federal and state courts. He represents and advises clients in connection with business and commercial litigation matters, such as contract and cognovit disputes, professional malpractice, commercial landlord-tenant disputes, uniform commercial code disputes, and other civil and business tort actions. Joe also has experience in the prosecution and defense of non-compete, trade secret, and unfair competition claims. 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 LLC, 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.

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**Representative Cases/Matters**

## Joseph Muska

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- 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

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

### Admissions - State

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- Ohio

### Education

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- Cleveland-Marshall College of Law
- Xavier University

### Honors and Awards

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- Fr. Peter J. Buschmann Award (recognized academic, leadership and service achievements)
- Selected for inclusion in *Ohio Rising Stars* (2017-2020)

### Professional Membership

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- Cleveland Metropolitan Bar Association

## Joseph Muska

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- Defense Research Institute

### Public Service and Volunteerism

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- Lorain Historical Society, Board of Trustees Member
- St. Edward High School Alumni Association
- The Legal Aid Society of Cleveland, Veterans' Pro Bono Clinic

### Blog Posts

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- 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
- Pending Missouri House Bill would ban almost all forms of restrictive covenants
- Governor authorizes adoption of rules to create notification procedures for oil and gas emergencies
- Clarification of Nuisance: An amorphous legal concept, referred to as law's "garbage can"
- Litigation Trend: Lawsuits Linked to Earthquakes

### News

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- 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

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- "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

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- 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