



Joseph A. Boyle

Of Counsel

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About

When businesses face consumer class actions and complex litigation and need a smart, savvy fighter, they turn to Joe Boyle. In high-stakes cases, Joe is a proven commercial litigator who understands what it takes to tip the balance between a costly judgment and a favorable settlement.

Recognized by Martindale-Hubbell and listed among the *Irish Legal 100*, Joe believes every action counts when pursuing a favorable result. He is valued for his fearless approach to arbitration, mediation, trial, and on appeal. And when an aggressive stance is a requirement for your success, Joe knows how to get tough.

A battle-tested advocate who has tried cases in California, New Orleans, Miami, New York, and New Jersey, Joe has also argued successful appeals before the Second, Third, Seventh, Ninth, and Federal Circuits. He has argued before all four appellate departments in New York and appeared in more than 30 federal and state court jurisdictions across the country.

At every phase of litigation—from legal research and investigations to depositions to jury selection to the trial itself—Joe identifies and seizes opportunities for victory. In fact, Joe has achieved significant success resolving litigation while still in the discovery and class certification stages.

Joe's decades of oral advocacy experience help him present complex facts in practical terms that juries and judges can understand. With experience prosecuting and defending numerous cases before judges, juries, panels, and ADR forums, Joe brings consistently smart moves to safeguard your interests in high-stakes litigation.

Experience

Successfully defended a leading publicly-traded health information technology company in a five-day arbitration (first chair) involving claims arising from the implementation of a suite of clinical and revenue software solutions.

Tried to a jury a class action involving the early termination fees of a major cellular telephone service provider in California Superior Court, Alameda County.

Represents a major satellite communications provider in a case brought in the United States District Court for the Central District of Illinois by the Federal Trade Commission and several state attorneys

general, alleging violations of the Telecommunications Sales Rule and the Telecommunications Consumer Protection Act.

Represented a major football helmet manufacturer in successfully defending a class action regarding concussion related claims.

Representing a major tuna seller in a class action regarding Dolphin Safe claims.

Prosecuted numerous commercial real estate foreclosures through sale, bankruptcy or resolution. Also, successfully collected on a multi-million carve out guaranty.

Represented wireless carrier in a case brought by the Minnesota Attorney General regarding sales and marketing practices. The case was resolved via settlement.

Handled numerous civil investigative demands made by various state attorneys general.

Represented a major wireless carrier in a nationwide class action in the United States District Court for the District of New Jersey. The case settled after five days of fairness hearing and resolved numerous pending cases around the country and included an All Writs Act injunction staying certain of those cases.

Obtained an order compelling putative class action cases to arbitration in a multi-district litigation pending in the District of New Jersey.

Represents two major New York City-based real estate brokerage and sale companies in development and commission litigation.

Represented numerous taxpayers in the successful prosecution of significant refund claims involving the Federal Telecommunications Excise Tax.

Represented a long distance telecommunications provider in Washington State court against claims of consumer fraud in a class action. Obtained an emergency stay, pending appeal, of an order authorizing a class notice. The case settled on favorable terms for the client.

Represented a defendant in a class action pending in the United States District Court for the Northern District of Illinois, by a consumer under the Illinois Consumer Fraud law. Obtained a dismissal that was affirmed by the Seventh Circuit, and certiorari was denied by the U.S. Supreme Court.

Obtained a denial of class certification in a consumer class action brought in Cook County, Illinois.

Represented a defendant in numerous class action matters brought by consumers under state and federal consumer fraud laws, including a current matter involving a multi-district litigation (MDL) in the United States District Court for the District of Nevada over allegedly improper sales practices. Obtained the dismissal of all cases in the MDL, and argued the appeal before the Ninth Circuit and obtained an opinion upholding the dismissal of the vast majority of the claims.

Represented a major consumer health products company in successfully defending claims for injunctive relief regarding alleged misuse of trade secrets arising from a sales and marketing executive who transferred from another major consumer health products company to work on a multibillion-dollar generic drug launch.

Represented a major consumer health products company in defending mass-tort claims arising out

of a cough and cold product.

Represented a cosmetic ingredient company in a trial (first chair) of a trade secret misappropriation case.

Represented a commercial landlord in multimillion-dollar lease litigation, including a trial (first chair) that resulted in the piercing of the veil of an LLC and its guarantor to impose personal liability on two shareholders.

Represented a foreign telecommunications company in a jury trial (first chair) in the Southern District of Florida. Obtained a verdict, that included punitive damages, against various defendants on civil conspiracy and unjust enrichment claims.

Represented the seller of a commercial building in its cost recovery process against a tenant for cleanup expenses incurred pursuant to New Jersey environmental laws.

Represented a real estate partnership in a complex commercial condemnation matter involving waterfront property in Jersey City. Through a series of interrelated transactions, Joe was able to significantly increase the amount recovered by the partnership as compensation for the loss of its property, and obtained release and indemnification in the client's favor for alleged environmental contamination at the property.

Represented a national retailer/tenant as the lease assignor in multiple lease default cases.

Represented a billing company in two state court class actions arising out of allegedly improper billing practices and claims of slamming. The claims were dismissed.

Represented a web hosting company in a class action claim in New Jersey state court brought under the Telecommunications Consumer Protection Act seeking \$150 million in damages. Obtained summary judgment and the matter was affirmed on appeal.

Represented a major federal institution with respect to defined benefit plan issues arising in numerous large bankruptcy proceedings including the United Airlines, Delta and U.S. Airways cases.

Represented a competitive local exchange carrier (CLEC) in a two-week arbitration against an incumbent local exchange carrier (ILEC) that resulted in a multimillion-dollar award in favor of the CLEC.

Represents numerous telecommunications carriers in litigations throughout the United States involving national and international telecommunications issues.

Represented a commercial mobile radio service (CMRS) provider in numerous federal court actions involving appeals of state Public Utility Commission (PUC) arbitration decisions regarding interconnection agreements.

Represented a major department store in a jury trial (first chair) in the United States District Court for the Southern District of New York involving claims made under Article 9 of the UCC.

Represented an heir to a \$50 million real estate fortune that was depleted just prior to death by the executor and trustee. First-chaired the successful trial of the liability phase.

Represented a family real estate partnership in all legal matters, including lease litigation, foreclosures and environmental claims.

Handled numerous foreclosure matters for various lenders, including a series of related foreclosure proceedings that resulted in a reported appellate decision of first impression, and an ultimate recovery of collateral valued at more than \$1 million over the loan amounts.

Represented a debtor in several foreclosure actions arising out of a purchase of a pool of loans from a failed New Jersey thrift.

Represented a secured lender that obtained dismissal against a bankruptcy petition seeking to substantially reduce its \$17 million claim.

Represented a partner in a New York law firm that filed for bankruptcy. Handled all aspects of bankruptcy as well as defending multiple actions brought by partnership creditors.

Represented a creditors' committee in the bankruptcy of a department store, including dealing with how the department store accounted for both income and expenses as well as how its assets were pledged to obtain credit.

Represented a secured lender in its replevin of more than 1,500 vehicles from a daily rental car chain.

Honors

Joe was selected in 2021-2023 for inclusion in the Commercial Litigation area as one of *The Best Lawyers in America*® (Woodward/White, Inc.). A description of the selection methodology can be found [here](#).

He was selected for inclusion for 2011-2013 and 2019-2021 in the *Irish Legal 100*. A description of the selection methodology can be found [here](#).

Joe has been recognized with a *Martindale-Hubbell* AV Preeminent Rating for the last 10 years. A description of the selection methodology can be found [here](#).

He was recipient of the 1999 Chairman's Special Recognition Award Make-A-Wish Foundation of New Jersey.

Joe was recipient of the 2007 Circle of Life Children's Center Board of Trustees' Award.

No aspect of these advertisements have been approved by the Supreme Court of New Jersey.

Community

Former member Make-A-Wish Foundation of America, Nominating and Corporate Documents Committee

Former Make-A-Wish Foundation of New Jersey, chairman and member of the Board of Directors

Former member Circle of Life Children's Center, Board of Directors, and president

Related Services

Advertising and Marketing

Commercial Litigation

Communications

Consumer Class Action Defense

Cybersecurity Counseling and Compliance

Environmental
Environmental Litigation
Environmental Regulation
Intellectual Property
Litigation
Real Estate
Real Estate Finance
Telephone Consumer Protection Act (TCPA) Defense
Toxic Torts and Products Liability
Privacy and Information Security

Education

Fordham University School of Law, J.D., 1989
Elizabethtown College, B.A., 1983

Admissions

New Jersey, 1989
New York, 1990
Massachusetts, 2014

Courts

U.S. Supreme Court
U.S. Court of Appeals–Federal Circuit
U.S. Court of Appeals–Second Circuit
U.S. Court of Appeals–Third Circuit
U.S. Court of Appeals–Seventh Circuit
U.S. Court of Appeals–Eighth Circuit
U.S. Court of Appeals–Ninth Circuit
U.S. Court of Appeals–Tenth Circuit
U.S. Court of Appeals–Eleventh Circuit
U.S. District Court–District of New Jersey
U.S. District Court–Southern District of New York
U.S. District Court–Eastern District of New York
U.S. District Court–Northern District of New York
U.S. District Court–Northern District of Illinois
U.S. District Court–Central District of Illinois
U.S. District Court–Southern District of Illinois
U.S. Court of Federal Claims