

# BLANKROME

Joseph T. Moran | Partner

Business Litigation

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Joseph Moran concentrates his practice on commercial and construction litigation.

Joe has significant experience assisting corporate, construction and media clients with litigation, arbitration, mediation, and appellate matters, and counseling clients on relationship preparedness to avoid litigation. Joe has also litigated and counseled clients on non-competition, First Amendment and technology/e-commerce issues, including privacy, electronic discovery, and ethical issues relating to Internet usage in workplace and media settings. Joe is listed in *Best Lawyers in America*®, *Pennsylvania SuperLawyers*, and *Pennsylvania and Pittsburgh Top Lawyers* for commercial litigation. He is also recognized in *Irish Legal 100* and is rated AV Preeminent® by Martindale-Hubbell® Bar and Judicial Editions.

Joe has been a speaker on litigation, media, and technology issues at local and national conferences and CLE seminars sponsored by the International Bar Association, NACHA Conference; National Business Institute; American Corporate Counsel Association; American Marketing Association; Allegheny County and Federal Bar Associations; the Pennsylvania Bar Institute; and the Practising Law Institute.

## Outside The Firm

Joe is married with two adult children, an avid Steeler fan, and City of Pittsburgh fan in general. He has played and coached baseball, softball, and basketball in various Pittsburgh rec leagues, continues to work out and play sports with his limited remaining skills, is known to celebrate his Irish heritage on (any) occasion, and has a great interest and sometimes involvement in, local, state, and national politics—the major “sport” of his hometown, Scranton, PA—and in various charitable

organizations.

## Select Engagements

### Litigation

- Reached a favorable settlement as lead trial counsel for a plaintiff global contractor in four large multistate construction litigation actions concerning the construction of four separate natural gas processing facilities in Pennsylvania, Ohio, and West Virginia.
- Co-counsel for a leading global provider of engineering and construction services in the successful defense of a series of claims arising from the engineering, procurement, and construction of a 790 MW super-critical, coal-fired electric generating facility in Council Bluffs, Iowa, and the appellate defense of the arbitration decisions in the S.D. Iowa.
- Lead counsel for a leading global provider of engineering and construction services in the defense and successful resolution of alleged multimillion-dollar certain cost accounting issues arising out of the construction of a \$1 billion pipe mill in Ohio.
- Won a liability verdict as co-counsel for a power company plaintiff in a complex contract action involving the implosion and destruction of an electric turbine. The case settled prior to the damage phase. *Orion Power Holdings, Inc. v. Mechanical Dynamics & Analysis, et al.* (C.C.P. Allegheny Co.)
- Obtained a dismissal for a global engineering and construction client as lead counsel in a wrongful death construction case.
- Member of a trial team responsible for the oversight of the e-discovery/discovery process that successfully represented a European industrial construction company in a series of disputes arising from the rehabilitation of a blast furnace in the United States.
- Successfully defended a national trucking enterprise as lead counsel in an injunction action alleging theft of trade secrets.
- Co-counsel for a Florida investment brokerage firm in a “finder’s fee” litigation against a billion-dollar corporate defendant.
- Lead defense counsel in a covenant not-to-compete litigation for a major refractory client that was resolved to the mutual benefit of the parties on the eve of the injunction hearing.
- Lead counsel in breach of contract royalty claims for a regional coal broker against Pennsylvania and West Virginia coal companies that was resolved to the mutual benefit of the parties.
- Lead counsel in a construction personal injury case for a corporate client.
- Won a \$500,000+ plaintiff’s jury verdict in a piercing the corporate veil case against a corporate officer, and successfully defended the verdict on appeal. *Savannah River Wharf Company v. Germain Timber Co. & W Preston Germain*, (C.C.P. Allegheny) (Pa. Superior Ct.)
- Won an appellate reversal of jurisdictional dismissal (handled by prior counsel) and negotiated a settlement of the client’s claims related to the interstate sale of a defective corporate airplane. *C. J. Betters Corp. v. Mid-South Aviation Services Inc.* (Pa. Superior Ct.)

- Initiated a suit and negotiated a favorable settlement for a franchisee plaintiff in a dispute with a franchisor regarding protected territorial rights. *Ray Joll Development Co. v. Quaker Steak & Lube* (C.C.P. Mercer Co.)
- Won a jurisdictional dismissal in a federal contract action involving interstate shipments of woodchips. *Germain Timber Co. v. Peeples, et al.* (W.D.Pa.)
- Co-counsel on a coal supply contract *force majeure* dispute, which was resolved to the mutual benefit of the parties. *EME Homer City Generation v. Unionvale Coal Company* (C.C.P. Indiana)
- Negotiated a favorable settlement for an impleaded major video distribution company in a royalty dispute injunction case. *In re Anne of Green Gables* (W.D. Pa)
- Successfully negotiated a settlement involving a new Horseman's Association Agreement regarding Pennsylvania Gaming Act royalty rights. *Meadows Standardbred Owners Assoc. v. Centaur Pennsylvania LLC, et al.* (C.C.P. Washington Co.)
- Co-counsel in a multimillion dollar environmental insurance claims matter involving favorable settlements from multiple major insurance companies on environmental liability claims. *NVF, Inc. v. American Casualty, et al.* (C.C.P. N.J.)
- Drafted a license agreement for a new invention and successfully negotiated a settlement of a contract dispute lawsuit brought to enforce guaranteed royalty rights. *Gray Doyle Ideas, Inc. v. L&N Sales & Marketing, Inc.*
- Defended damage claims against a major oil company in a bench trial relating to environmental damage to a property resulting from a tanker spill. The case resulted in a settlement the client found favorable.
- Member of a trial team in a successful injunction case brought by a major entertainment company, Broadcast Networks, and NFL, in an international piracy injunction case involving theft and rebroadcast of television signals. Obtained an effective relief and/or settlement as necessary. *Disney, et al. v. icraveTV* (W.D. Pa.)
- Acted as trial counsel for many companies involved in commercial or transactional disputes in a wide variety of industries.

### **First Amendment/Constitutional Matters**

- Successfully defended First Amendment, Access, and Shield Law interests of reporters, and defended defamation and libel actions for local and major newspapers, publishers, and entertainment companies, including the *Pittsburgh Post-Gazette*, *Gannett*, *U.S. News & World Report*, CBS, and WPXI (NBC).
- Successfully argued to the Pennsylvania Commonwealth Court for a reversal of the trial court and local township board of supervisors rulings upholding the suspension of a local business license based on an unconstitutionally vague local ordinance. *Eric Boron, et al., v. Pulaski Township Board of Supervisors, et al.*
- Won a defense jury verdict in a libel trial brought by a senior bank executive against a local newspaper, and successfully defended the verdict on appeal. *Wallace v. Johnstown Tribune Publishing Company* (C.C.P. Cambria) (Pa.)

- Superior Ct.)
- Won an admission of press via King's Bench Petition Orders from the Pennsylvania Supreme Court (on behalf of the *Pittsburgh Post-Gazette*) to formerly closed jury selection proceedings in a racially charged police brutality case involving the death of a minority suspect. *In re Commonwealth v. White Hall Borough Police, et al.* (Gammage) (Pa. Supreme Ct.)

## Internet and E-commerce

- Extensively counseled clients and drafted various Internet usage and privacy policies and agreements regarding their internal policies on the use of Internet, e-mail, electronic record retention, Do Not Call legislation, and various web-based, e-commerce issues.
- Drafted web agreements and Internet usage policies for leading companies across several industries, including Internet service providers, the nation's oldest real estate organization, one of the largest providers of private post-secondary education in North America, a leading asset management and securities services company, an online metal forgings auction site, a supplier of products and services to the global rail industry, and the world's largest supplier of OEM and aftermarket automotive replacement parts to transmission professionals.
- Presented privacy, legal ethics, Internet usage, and electronic discovery issues to, among others, the International Bar Association; NACHA Conference; National Business Institute; American Corporate Counsel Association; American Marketing Association; Employment Law Institute; Allegheny County Bar Association (State and Federal Sections); and to private and public industry, including Mellon Bank, PPG, Alpern Rosenthal, educational forums sponsored by the University of Pittsburgh, LaRoche College, and Robert Morris University, and for Pennsylvania accredited CLE providers PLI, PBI, Lorman, and others.

## Admissions

- Pennsylvania
- United States Court of Appeals for the Third Circuit
- U.S. District Court - Western District of Pennsylvania

## Education

- University of Scranton, BS
- University of Pittsburgh School of Law, JD
- Carnegie Mellon University, MS

## Recognitions

- AV Preeminent®, listed by Martindale-Hubbell®
- 2011–2020, Commercial Litigation, listed in *Best Lawyers in America*©

- 2017–2019, listed in the *Irish Legal 100*
- 2015–2019, “Pennsylvania Super Lawyer” in Civil Litigation, listed in *Super Lawyers*
- Commercial Litigation, listed by *Pennsylvania’s Top Rated Lawyers*, *Pennsylvania’s Best Lawyers*, *Pittsburgh’s Best Lawyers*, and *Pittsburgh’s Top Rated Lawyers*

## Professional Activities

Joe is a member of the American, Pennsylvania, and Allegheny County Bar (“ACBA”) Associations, and previously served as a member of the ACBA Civil Litigation Section Board of Governors. He is a former two-time president and officer of the University of Pittsburgh Law Alumni Association and former co-chair of the University of Pittsburgh Law Fellows.

He has served as co-chair of the Pittsburgh Zoo & PPG Aquarium Summer Safari Event since 2007 and as a committee member for the Spring Clothes Out Event to benefit the Women’s Center & Shelter of Greater Pittsburgh from 2003 to 2014. Joe is a member of the Pittsburgh Chapter of 100 Men Who Care and a United Way Tocqueville Society member.