



Tanenbaum Keale LLP
A Litigation Boutique Serving Global Companies



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Professional Credentials

- J.D. (2008) Seton Hall University School of Law
- B.A. (2003) Boston College

Joseph D. Fanning

Associate

Mr. Fanning is an experienced litigator who defends and counsels businesses in complex commercial, product liability and personal injury cases. His diverse practice spans industries ranging from pharmaceuticals to heavy equipment, automotive, energy and telecommunications. He has a proven record of successfully defending industry leaders and Fortune 100 companies in high-stakes litigation and counseling clients on practical, strategic solutions to achieve their business goals.

Mr. Fanning is admitted to practice law in New York and New Jersey and before the U.S. District Court for the District of New Jersey and U.S. District Courts for the Southern, Eastern and Northern Districts of New York.



Experience

Mr. Fanning has extensive experience defending product liability claims. Throughout his career, he has represented leading manufacturers of pharmaceuticals and medical devices, automobiles and heavy equipment in consumer class actions, mass tort proceedings and multidistrict litigations across the country. He also regularly appears in state and federal courts in defense of manufacturers and common carriers in cases involving catastrophic and fatal personal injury.

Mr. Fanning also advises corporate clients on a variety of commercial matters, developing dispute resolution strategies specifically tailored to their unique business objectives. Among his representative matters are:

Representation of a multinational technology company accused of trade secret misappropriation and breach of nondisclosure agreements in connection with its product development process, obtaining summary judgment on the bulk of plaintiffs' claims;

Successful defense of a leading wireless telecommunications company against a series of coordinated putative class actions under the Telephone Consumer Protection Act (TCPA);

Management of an active docket of consumer fraud, property damage and breach of contract claims against a national residential solar electricity provider;

Advising several national retailers on compliance with New Jersey's Truth-in-Consumer Contract, Warranty and Notice Act (TCCWNA) in retail website terms and conditions; and

Routine counseling of commercial clients on various contractual, regulatory and land use matters.

Prior to entering private practice, Mr. Fanning served as a law clerk to the Hon. Dorothea O'C. Wefing, Presiding Judge of the Appellate Division, Superior Court of New Jersey, evaluating cases on appeal from a wide range of civil, criminal, chancery and agency decisions.

While in law school, Mr. Fanning was a Distinguished Scholar, recipient of the Chancellor's Scholarship, and an Editor of the Seton Hall Law Review. He was selected to intern at the United States Attorney's Office, Special Prosecutions Division, where he assisted in the investigation and successful prosecution of public corruption cases.



Memberships and Affiliations

Mr. Fanning is a member of the Defense Research Institute (DRI) and the New Jersey State and Essex County Bar Associations. He believes in the importance of community service and is proud to have served as pro bono counsel in a variety of municipal, criminal and landlord/tenant proceedings. As a law student, he participated in Seton Hall Law's Immigration Clinic, representing immigrants seeking political and religious asylum in the United States. He is a regular volunteer at St. John's Soup Kitchen in Newark and an active member of various charitable organizations within the New York and New Jersey Irish-American communities.

Presentations and Publications

- "Using the New Federal Rules to Rein in Discovery," Law360, (April 2016)
- Proportionality and Reasonableness: Using the 2015 FRCP Amendments to Rein in Discovery," IADC, Business Litigation and Corporate Counsel Committee Newsletter (April 2016)
- "Third Circuit Opens Door for Additional TCPA Claims," Collections & Credit Risk (March 2016)
- "Third Circuit Expands Standing for TCPA Violations," New Jersey Law Journal (February 2016)
- "New Jersey Retailers Strictly Liable for Defects in Products They Sell," Product Liability Advisory (November 2011)
- Limits on Public Access to Court-Filed Documents," ABA Products, General Liability and Consumer Law Committee Newsletter (May 2010)