GODFREY & KAHN

Josh Johanningmeier

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Practice Areas

Distribution & Dealership Litigation

Insurance & Reinsurance

Labor, Employment & Immigration

Litigation

Non-Compete & Trade Secrets

Products Liability & Torts

Admissions

Illinois - 2015

Iowa - 2007

Michigan - 2019

Ohio - 2024

Minnesota - 1999

Wisconsin - 2002

Education

Juris Doctor, University of Iowa College of Law, 1999, *with high distinction*

Masters of Arts, Iowa State University

Bachelor of Arts, Luther College

www.gklaw.com/jjohanningmeier

Josh is co-chair of the firm's Litigation team and also a member of the firm's Labor & Employment and Insurance teams.

Product Liability

Josh is the chair of the firm's products liability & torts practice. In product litigation, Josh defends manufacturers in cases involving personal injury, wrongful death and property damage. In addition to litigation, Josh works with manufacturers to assess and develop on-product warnings as well as instruction and user manuals for products. He also counsels manufacturers, distributors and retailers on regulatory compliance and recall issues, including incident and defect reporting to the Consumer Product Safety Commission (CPSC) and National Highway Traffic Safety Administration (NHTSA).

Josh has defended and counseled clients on matters involving numerous products, including medical devices, pharmaceuticals, asbestos-containing products, adhesives, all-terrain vehicles and ATV accessories, automobiles and automobile accessories, building products, laundry and cleaning chemicals, clothing, fasteners, furniture, magnets, motorcycles, pneumatic tools, personal watercraft, respirators, snowmobiles, toys and vehicle accessories.

Labor and Employment Litigation

Josh represents employers in federal and state courts, as well as administrative agencies. Josh defends wage-and-hour class and collective action cases, including leading the defense of the two largest delivery driver class actions filed against Wisconsin employers. Josh also defends individual harassment, discrimination and retaliation claims. He also litigates disputes regarding restrictive covenants, trade secrets, wage claims, whistleblower claims and termination disputes.

Insurance

Josh is also a member of Godfrey & Kahn's insurance practice, where his practice includes serving as General Counsel to the Independent Insurance Agents of Wisconsin (the "Big I"), the state's largest insurance agency trade association, which provides a Legal Services Hotline to its membership (IIAW Hotline Information). Josh also represents insurance companies and agents in litigation and before the Wisconsin Office of the Commissioner of Insurance.

Representative Experience

Taysheedra D. Allen-Noll v. Madison Area Technical College, United States District Court for the Western District of Wisconsin Case No. 18-CV-216 (Jul. 29, 2019: Summary judgment in favor of employer dismissing claims of race discrimination, retaliation and violation of due process; affirmed August 5, 2020 by the Seventh Circuit, with sanctions awarded to defendant based on finding of frivolous appeal).

State ex re. Peg Lautenschlager, v. Par Pharmaceutical, et al., Wisconsin Court of Appeals 2017AP1341 (October 19, 2018: Affirming circuit court's dismissal of state qui tam act claims against generic pharmaceutical companies based on average wholesale pricing).

Estate of Payton McCoy, et al. v. Care.com, et al., Milwaukee County Wisconsin Circuit Court Case No. 15-CV-7342 (May 9, 2018: Summary judgment dismissing wrongful death claim pursuant to federal Communications Decency Act arising from hiring of childcare through website).

Larchmont Holdings, LLC v. North Shore Services, United States District Court for the Western District of Wisconsin Case No. 16-CV-575 (Nov. 9, 2017: Summary judgment dismissing claims of fraudulent inducement, frustration of purpose, unjust enrichment, reformation, breach of contract, breach of the implied duty of good faith and fair dealing, and illusory contract arising from failed frac-sand mining effort).

Patricia L. Carroll v. Crane Co., et al., United States District Court for the Western District of Wisconsin Case No. 15-CV-373 (April 12, 2017: Summary judgment dismissing claims of asbestos exposure).

State of Wisconsin ex rel. Peg Lautenschlager v. Par Pharmaceutical, et al., Wisconsin Court of Appeals 2015AP2498 (January 12, 2016: Reversing circuit court's order denying defendants' motion to dismiss state qui tam act claims against generic pharmaceutical companies based on average wholesale pricing).

McKee v. Madison Area Technical College, United States District Court for the Western District of Wisconsin Case No. 13-CV-181 (May 23, 2014: Summary judgment dismissing claims of disability discrimination and retaliation).

State of Wisconsin v. Par Pharmaceutical, et al. Dane County Wisconsin Circuit Court Case No. 11-CV-5544 (February 17, 2014: Dismissal of state qui tam act claims against generic pharmaceutical companies based on average wholesale pricing).

MATC Part-Time Teacher's Union v. Madison Area Technical College, Dane County Wisconsin Circuit Court Case No. 12-cv-3374 (December 23, 2013: Summary judgment granted in favor of college in union challenge seeking exemption from status as public employee union).

Stoughton Lumber Company v. Sveum, United States Bankruptcy Court for the Western District of Wisconsin (August 1, 2013: Trial victory on non-dischargeability of debt due to fraud or defalcation; affirmed by district court and Seventh Circuit Court of Appeals).

Singer v. Pneumo-Abex LLC, Wisconsin Court of Appeals 2010AP2614 (January 18, 2012: Reversing trial court's denial of brake lining manufacturer's motion for summary judgment in wrongful death mesothelioma case and vacating $1.5 million jury verdict).

Rebholz v. Club Car, et al., Wisconsin Court of Appeals 2010AP364 (August 9, 2011: Allegations of defective golf cart design--affirming dismissal of design defect claims based on interpretation and enforcement of general release signed by plaintiffs with other parties).

Norman-Nunnery v. Madison Area Technical College, et al. United States Court of Appeals for the Seventh Circuit (November 8, 2010: Seventh Circuit affirms summary judgment in favor of prospective employer dismissing claims of spoliation of evidence, race discrimination, and intimate association discrimination).

Representative Experience

Simonson v. Morbark, Inc., Jackson County Circuit Court Case No. 07-CV-96 (alleged defective design of commercial wood chipper in wrongful death products liability case: Defense Verdict on October 8, 2010).

Professional Association Memberships

Litigation Counsel of America, Fellow
Defense Research Institute (DRI)
Wisconsin Defense Counsel (WDC)
American Bar Association (ABA) Section of Litigation

Honors

Listed in *Best Lawyers in America* (Product Liability Litigation - Defendants, 2012 - present)
Recognized as a *Wisconsin Rising Star* (2010 - 2012)
Recognized as a *Wisconsin Super Lawyer* (2014 - present)
Honored as one of *In Business Magazine's* 40 Under 40 winners (2012)
Best Lawyers' 2017 Madison Product Liability Litigation - Defendants "Lawyer of the Year"
Best Lawyers' 2023 Madison Product Liability Litigation - Defendants "Lawyer of the Year"
Best Lawyers' 2024 Madison Product Liability Litigation - Defendants "Lawyer of the Year"
Best Lawyers' 2026 Madison Product Liability Litigation - Defendants "Lawyer of the Year"
Recognized by *Benchmark Litigation* as a Local Litigation Star (Labor & Employment, Product Liability, 2026)

Activities

Muscular Dystrophy Association – Madison Black-N-Blue Ball Committee Chairperson
American Cancer Society – Fundraising Committee