

# Stevens & Lee

Powerful partnerships. Standout solutions.



## Joseph E. Wolfson

Shareholder

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### Practice

Intellectual Property

Litigation

White Collar Defense and Investigations

Joe is Co-Chair of Stevens & Lee's Antitrust and Unfair Competition Group. He concentrates his litigation practice in corporate and complex litigation, including antitrust, trademark, trade secret, unfair competition and consumer fraud disputes particularly in the medical device, pharmaceutical, insurance, financial services and health care industries.

Joe also serves as outside corporate counsel to firm clients and regularly consults with management and boards of directors regarding a variety of issues including joint ventures, operating agreements, incentive plans and commercial transactions.

Joe is a former state prosecutor for the Philadelphia District Attorney's Office.

### Experience

#### Representative Cases

- *Physicians Healthsource v. Cephalon*: United States Court for the Eastern District of Pennsylvania. Obtained summary judgment on behalf of our client, Cephalon, Inc., in putative class action asserting claims for violation of the Federal Telephone Consumer Protection Act. Decision affirmed by the Third Circuit in a precedential opinion.
- *In re: Modafinil Antitrust Litigation – Apotex v. Cephalon et al.*: Defended generic pharmaceutical manufacturer in purported nationwide class action against allegations of antitrust violations arising from settlement of patent litigation.
- *Reading Health System v. Surgical Institute of Reading*: Represented the Reading Health System in connection with an antitrust review by the Federal Trade Commission of a proposed acquisition of the Surgical Institute of Reading.

- *Ameron v. Total Containment*: United States District Court for the Central District of California. Represented defendants in an antitrust and intellectual property matter involving claims of illegal patent licensing and antitrust violations. Jury verdict returned in favor of clients on all counts.
- *Supratek, Inc. v. Cephalon, Inc.*: United States District Court for the Eastern District of Pennsylvania. Represented Cephalon, Inc. in an intellectual property matter in which plaintiff asserted claims for misappropriation of trade secrets, misappropriation of patent rights and breach of licensing agreements. Case settled favorably during mediation following briefing on our client's motion to dismiss.
- *Mouzon v. Radiance, Inc.*: Consolidated class actions in the United States District Court for the District of Columbia. Represented defendant in consolidated nation-wide class actions alleging claims for violation of state consumer protection laws, the federal Magnuson-Moss Warranty Act, and consumer fraud. Case settled favorably prior to class certification hearings.
- *Systemhouse v. Northhampton County*: United States District Court for the Eastern District of Pennsylvania. Represented defendant in an intellectual property matter involving the nation's first outsourced and privatized E-911 emergency response system. Jury verdict returned in favor of client rejecting plaintiff's claims for award of liquidated termination fee as a result of County's termination of agreement due to improper creation and implementation of system.
- *ICON Solutions v. IKON Office Solutions*: United States District Court for the Eastern District of Pennsylvania. Represented ICON Solutions in an intellectual property matter asserting claims for trade name infringement arising out of the defendant's name change to IKON Office Solutions. Matter established precedential case law. Case settled favorably following jury selection, opening statements, and presentation of client's first witness.
- *MTI v. Carpenter Technology*: United States District Court for the District of New Jersey. Represented Carpenter Technology in an intellectual property matter in which plaintiff asserted claims for trade secret misappropriation, Lanham Act violations and unfair competition. Plaintiff dismissed all claims with prejudice following the court granting partial summary judgment in favor of client, excluding plaintiff's expert witnesses and issuing sanctions order against plaintiff due to discovery violations relating to plaintiff's experts.
- *Hampden Real Estate v. Metropolitan Management, Inc.*: United States District Court for the Eastern District of Pennsylvania. Represented the defendant in a case involving a claim of breach of real estate sales agreement and ancillary documents. Obtained a jury verdict on behalf of the defendant.
- *Simplicity, Inc. v. MTS Products, Inc.*: United States District Court for the Eastern District of Pennsylvania. Represented Simplicity, Inc. in a matter asserting claims for breach of contract relating to the defendant's failure to destroy defective children's furniture manufactured by Simplicity, Inc. and the defendant's attempt to resell the product. Case settled favorably immediately prior to trial.
- *Woodland Drive Associates v. Conestoga Bank*: Court of Common Pleas of Delaware County, Represented Conestoga Bank in a case involving claims for breach of a loan agreement. Case settled following the first day of trial by plaintiff dismissing all claims with prejudice and agreeing to reimburse our client for a portion of its attorneys' fees.
- *Weinstein v. Weinstein, Schliefer & Kupersmith*: Court of Common Pleas of Berks County, Pennsylvania.

Represented plaintiff in a case involving the breakup of a law firm. Claims included shareholder freeze-out, breach of fiduciary obligations and breach of contract. Case settled favorably following mediation.

### Affiliations

- Jewish National Fund, National Board of Directors; First Vice President; Philadelphia Chapter, Past President
- Alexander Muss High School (Israel), Chair, Board of Directors
- Gladius Society of the University of Pennsylvania, Past President, Board of Directors
- Pennsylvania Bar Association
- American Bar Association
- Trial Law Institute
- Diversity Law Institute

### Recognition

Since 2013, Joe has been listed by *The Best Lawyers* in America and as a Pennsylvania Super Lawyer, as published in *Philadelphia* magazine, in the area of commercial litigation. He is AV® Preeminent™ rated by LexisNexis Martindale-Hubbell, which is the highest rating for legal ability and general ethics.

Joe is a Fellow of the Litigation Counsel of America, a peer-selected and invitation-only trial lawyer honorary society distinguishing highly experienced and qualified trial lawyers.

### Education

- Boston University School of Law, J.D., *cum laude*
- University of Pennsylvania, Wharton School of Business, B.S.

### Bar Admissions

- Pennsylvania
- New Jersey

### Court Admissions

- U.S. District Court of Appeals for the Second Circuit
- U.S. District Court of Appeals for the Third Circuit
- U.S. District Court of Appeals for the Fourth Circuit
- U.S. District Court of Appeals for the Ninth Circuit
- U.S. District Court of Appeals for the Tenth Circuit
- U.S. District Court for the Eastern District of Pennsylvania
- U.S. District Court for the Middle District of Pennsylvania
- U.S. District Court for the District of New Jersey