HUSCH BLACKWELL



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OVERVIEW

An award-winning legal writer and seasoned oral advocate, Joe gives clients the upper hand on appeal and in complex litigation.

Joe has briefed appeals in the U.S. Supreme Court; a majority of the federal circuits; and appellate courts in Wisconsin, Illinois, Missouri, and Georgia. He has orally argued several appeals in the Federal, Sixth, Seventh, and Eighth Circuits—including en banc—and in the Supreme Court of Wisconsin and the Wisconsin Court of Appeals. Joe also litigates administrative appeals and high-stakes disputes in trial courts across the country. No matter the forum, Joe draws on a unique background in music composition and freelance journalism to bring unmatched creativity to analyzing and writing about complex legal issues.

Joe specializes in challenges to government action, including judicial review of decisions issued by federal agencies, state agencies, and local governments. He also has significant experience defending class actions and litigating cases involving issues of constitutional and administrative law; land use, zoning, and permitting; and international trade law. He serves clients in various industries, including telecommunications, traditional and renewable energy, real estate, and healthcare, among others.

In addition to writing as an advocate for his clients, Joe has published several scholarly and popular articles on constitutional law and appellate practice. His latest article, *Delegation Running Ratchet*, was recently published in the *Texas Law Review Online*. His work has also appeared in the *SMU Law Review,* the *Villanova Law Review,* the *University of Cincinnati Law Review,* the *Fordham Urban Law Journal,* the *Duquesne*

Industries

Manufacturing
Technology
Transportation

Services

Appellate
Class Action Defense
International Trade & Supply Chain
Land Use
Litigation & Alternative Dispute Resolution
Commercial Litigation
Telecommunications

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Law Review, the *Yale Journal on Regulation Notice & Comment, Wisconsin Lawyer, Law360,* and elsewhere. Joe's articles have been cited in state and federal judicial opinions.

Case Studies

Commonwealth of the Northern Mariana Islands

Husch Blackwell put together a coalition to help clarify CERCLA in an influential U.S. Supreme Court amicus brief.

CityDeck Landing LLC

Our team filed a rare petition for a supervisory writ with the Wisconsin Supreme Court—and won the case.

CSC Sugar LLC

Our team secured a first-of-its-kind decision from the U.S. Court of International Trade.

Experience

FEDERAL APPELLATE EXPERIENCE

- Briefed, orally argued, and won appeal in *In Home Health, LLC v. Kennedy*, --- F.4th ---- (6th Cir. 2026), securing favorable precedent for hospice and other healthcare providers seeking Medicare reimbursement. In a first-ever opinion at the circuit level, the court clarified that Medicare's safe-harbor limitation-on-liability statute ensures providers receive reimbursement whenever they reasonably interpret operative Medicare notices and practice standards as applied to particular patients.
- Briefed, orally argued, and won appeal in *A.L.M. Holding Co. v. Zydex Indus. Private Ltd.*, 176 F.4th 1326 (Fed. Cir. 2026), securing a precedential opinion that clarifies Article III standing requirements in patent infringement lawsuits.

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Experience

- Briefed and orally argued, before a panel and en banc, *Gilbank v. Wood Cnty. Dep't of Hum. Servs.*, 111 F.4th 754 (7th Cir. 2024) (en banc), successfully convincing a majority of the court to adopt a new standard for evaluating federal subject-matter jurisdiction under the *Rooker-Feldman* doctrine.
- Briefed, orally argued, and won appeal in *Louis DeGidio Inc. v. Industrial Combustion, LLC*, 66 F.4th 707 (8th Cir. 2023), on behalf of manufacturer of institutional boilers and burners in commercial dispute with former distributor. The Court affirmed summary judgment, cementing a complete defense victory on claims for violation of the Minnesota Franchise Act, breach of contract, and promissory estoppel.
- Won appeal in *Stockbridge Munsee Community v. Ho-Chunk Nation*, 922 F.3d 818 (7th Cir. 2019), a case brought by one American Indian tribe against another over the latter's right to conduct gaming under the Indian Gaming Regulatory Act. Affirming the district court's ruling in favor of the Ho-Chunk Nation, the Court held that the plaintiff-tribe's claim was both outside the statutory zone of interests and barred by the statute of limitations.
- Briefed and orally argued appeal in Federal Circuit on behalf of steel nails distributor seeking reversal of Department of Commerce determination regarding applicable duties, in case involving complex questions of administrative law and procedure.
- Represented provider of micromobility devices in D.C. Circuit in case challenging denial of permit applications as unconstitutional, arbitrary, and capricious, and otherwise in violation of administrative-law rules.
- Authored successful amicus brief in *Guam v. United States*, 141 S. Ct. 1608 (2021), a case providing important guidance on the interpretation of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA, or Superfund). Filed on behalf of a politically and geographically diverse coalition of 26 states and territories in support of the prevailing party (Guam), the brief —called "extraordinary" by SCOTUSblog—was discussed in detail at oral argument.

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Experience

- Authored several briefs in the U.S. Supreme Court, including cert petitions, briefs in opposition, and amicus curiae briefs at the merits stage, at the petition stage, and in support of emergency applications.
- Briefed appeals as lead or co-lead appellate counsel in the U.S. Courts of Appeals for the D.C., Sixth, Seventh, Eighth, Ninth, Tenth, and Federal Circuits.
- Presented oral argument several times in the U.S. Courts of Appeals for the Sixth, Seventh, Eighth, and Federal Circuits—including an en banc oral argument in the Seventh Circuit.

STATE APPELLATE EXPERIENCE

- Won appeal in the Supreme Court of Wisconsin in *CityDeck Landing v. Circuit Court*, 922 N.W.2d 832 (Wis. 2019), on behalf of a real estate developer in a case announcing important limits on a trial court's authority to interfere with private arbitration proceedings.
- Won appeal in the Supreme Court of Wisconsin in *Enbridge Energy Co. v. Dane County*, 929 N.W.2d 572 (Wis. 2019), which held that a governmental permitting authority exceeded its power when it imposed unlawful conditions on an energy pipeline company's permit.
- Won appeal in the Wisconsin Court of Appeals in *Savich v. Columbia County Board of Adjustment*, 11 N.W.3d 160 (Wis. Ct. App. 2024), securing broad preemption ruling and permits for client Tillman Infrastructure to construct new telecommunications infrastructure.
- Won appeal in the Illinois Appellate Court in *Prairie Surgicare v. Encompass Specialty Network*, 2021 IL App (3d) 200176-U, which affirmed the trial court's discretionary denial of sanctions.
- Won appeal in the Missouri Court of Appeals in *El-Halawany v. Children's Mercy Hospital*, 717 S.W.3d 758 (Mo. App. W.D. 2025), affirming trial court's grant of summary judgment for hospital system employer on claims of employment discrimination.

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Experience

- Authored successful amicus brief in the Supreme Court of Georgia in *Raffensperger v. Jackson*, 888 S.E.2d 483 (Ga. 2023), in which the Court declared a restrictive occupational licensing law unconstitutional as an unreasonable infringement on an individual's due process right to pursue a lawful profession.
- Presented oral argument in the Supreme Court of Wisconsin and the Wisconsin Court of Appeals.

ADMINISTRATIVE APPEAL & TRIAL EXPERIENCE

- Secured summary judgment on behalf of a wireless communications tower developer in *TowerNorth Development, LLC v. Bayfield County* (W.D. Wis. 2026). The court held that Bayfield County violated the federal Telecommunications Act and state law by failing to act on a permit application within applicable "shot clock" deadlines; as a result, the court declared the permit automatically approved.
- Won favorable judgment and vacatur of government action in *CSC Sugar LLC v. United States*, 317 F. Supp. 3d 1334 (Ct. Int'l Trade 2019), on behalf of sugar refiner in a case challenging the Department of Commerce's approval of countervailing and antidumping duty trade agreements.
- Won favorable judgment and injunctive relief for telecommunications carrier in suit against city government for violations of the federal Telecommunications Act of 1996 related to city's denial of permits to install small-cell wireless facilities in public plaza.
- Successfully obtained vacatur of unfavorable class arbitration award in federal court.
- Won trial in prison conditions civil rights case, successfully proving that state officials violated prisoner's constitutional rights.
- Obtained favorable settlement for grocery store chain in class action involving greenwashing claims.

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Recognition

- 7th Circuit Bar Association's Advocacy Award, 2026
- *Best Lawyers: Ones to Watch® in America*
  - Appellate Practice, 2024-2027
  - Commercial Litigation, 2024-2027
  - Communications Law, 2026 and 2027
  - Mass Tort Litigation / Class Actions - Defendants, 2024, 2025, 2027
- *Chambers USA*, Litigation: General Commercial, Up and Coming, 2025-2026
- *Wisconsin Law Journal*
  - Wisconsin Legal 250, Appellate, 2026
  - Powerlist – Appellate Law, 2025
  - Legal All-Star Awards, Rising Young Lawyer, 2025
- Capital Pro Bono Honor Roll, 2022-2025
- Wisconsin Access to Justice Commission, Pro Bono Honor Society, 2017-2025
- Wisconsin Super Lawyers, Rising Star, Appellate, 2019-2025
- *In Business* Madison, Forty Under 40, 2024
- Hon. Charles Dunn Author Award, 2019
- Western District of Wisconsin Pro Bono Honor Roll, 2018
- Terence T. Evans Prize for Humor and Creativity in the Law, 2017

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Education

- J.D., University of Wisconsin Law School
  - *summa cum laude*
  - Order of the Coif
  - *Wisconsin Law Review*, articles editor
  - Ray and Ethel Brown Award in Legal Writing
  - Best Brief Award
- B.M., University of Wisconsin-Madison
  - Music Composition
  - with distinction

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Admissions

- U.S. Supreme Court
- U.S. Court of Appeals, District of Columbia Circuit
- U.S. Court of Appeals, Federal Circuit
- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, Fifth Circuit
- U.S. Court of Appeals, Sixth 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. Court of International Trade
- U.S. District Court, District of Columbia
- U.S. District Court, Eastern District of Wisconsin
- U.S. District Court, Western District of Wisconsin
- Wisconsin
- District of Columbia

Community Leadership

Joe serves as Immediate Past Chair of the board of directors of the Wisconsin Chamber Orchestra. Among other programs, the orchestra performs the widely popular Concerts on the Square series, which attracts upwards of 250,000 audience members per season.

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