BOIES SCHILLER FLEXNER

PARTNER

Joseph F. Kroetsch

Armonk
333 Main Street
Armonk, NY 10504
Phone 914 749 8388

New York
55 Hudson Yards
20th Floor
New York, NY 10001

PROFILE

Joseph's legal practice cuts across traditional litigation boundaries to represent clients in matters involving the strategic management of the client's reputation with the public, the media, and government. As practice leader for the firm's Media and First Amendment group, Joseph has been at the center of many matters in the media spotlight. He has represented and advised some of the world's largest corporations and financial institutions in diverse matters involving cutting-edge commercial law, securities, reputational, and consumer protection issues.

Recently, Joseph has led the firm's representation of an organization at the center of a political crisis at the highest levels of a G-7 nation's government. Joseph also represented a presidential impeachment witness in connection with defamatory statements made about him in the press and at the highest levels of the U.S. government. Joseph defended one of the highest-profile individuals in the technology industry in a defamation lawsuit relating to tabloid coverage of his personal life, and he was part of a team that successfully defended a newspaper and its parent corporation against defamation claims.

Joseph's representations include one of the world's largest financial institutions in securities litigations as an opt-out plaintiff and as a claimant in potential international arbitration related to one of those cases. These lawsuits challenge the assumption that opt-outs must follow the lead of the class action and suffer the attendant legal drawbacks. The Boies Schiller Flexner team's novel approach was vindicated in back-to-back victories before federal district court and the Joint Panel on Multidistrict Litigation, which both refused to transfer and consolidate the opt-out action, thereby preserving state law claims for the firm's client

PRACTICES

- Media and First Amendment
- Securities and Shareholder Disputes
- Crisis Management
- Class Actions
- Financial Institutions and Private Funds
- Insurance Disputes

EDUCATION

New York University School of Law, J.D.

Cornell University, B.S., Industrial and Labor Relations

ADMISSIONS

Bars

New York

AWARDS AND ASSOCIATIONS

Lawdragon 500 Leading Litigators in America

that dozens of other plaintiffs—and the class—were all barred from pursuing.

Joseph played a leading role in the firm's representation of Herbalife Ltd. in several matters, including the defense and settlement of a nationwide class action. Joseph also was part of a Boies Schiller Flexner trial team litigating a multibillion-dollar breach of contract lawsuit arising out of a high-profile health care industry merger.

In 2023, Joseph was named one of the Lawdragon 500 Leading Litigators in America, of which he was one of nine lawyers recognized for First Amendment, Media.

EXPERIENCE

Recent representations include:

- Representing one of the world's largest financial institutions to recover investment losses through multiple securities and financial litigations
- Representing a Presidential impeachment witness in connection with defamatory statements made about him in the press and at the highest levels of government
- Defending one of the highest-profile individuals in the technology industry in a defamation lawsuit relating to tabloid coverage of his personal life
- Representing Herbalife Ltd. in different matters arising out of highly publicized allegations made against the company by the hedge fund and short seller Pershing Square Capital Management, including defending the company in connection with a nationwide class action based in California federal court claiming violation of consumer protection laws
- Defending one of China's largest technology and media companies and its executives in defamation lawsuits filed in New York based on the client's news coverage
- Representing a communication technology company in defending a securities class action arising out of multiple short-seller attacks on the company
- Defending a financial technology company in connection with multiple crisis management matters to prevent publication of erroneous news coverage
- Representing one of the world's largest gaming companies in a dispute with a news organization publishing defamatory articles in apparent coordination with client competitors
- Representing one of America's best-known media and home goods brands in contractual disputes arising out of a licensing and promotion agreement
- Representing the CEO of a globally recognized gaming company in a dispute with his employer

- Representing a major multinational medical device manufacturer in multibillion-dollar litigation in New York federal court arising from the alleged breach of a merger agreement's "no-shop" provision

- Representing large trust services providers in litigations relating to billions of dollars of mortgage loan repurchases

- Represent an acclaimed fashion stylist in dispute with media corporation concerning defamatory coverage accusing him of misconduct

- Represent a natural resources company in a dispute with a news organization who published false and defamatory articles causing it to potentially lose valuable defense contracts

PUBLICATIONS & PRESENTATIONS

Skepticism in Era of AI Deep Fakes Will Erode Defamation Claims, Bloomberg Law (April 2023)

Copyright © 2024 Boies Schiller Flexner LLP.
All Rights Reserved.

Attorney Advertising.
Prior results do not guarantee a similar outcome.