

# Joseph W. Pappalardo

Of Counsel | Cleveland Office

(216) 522-1320  
jpappalardo@gallaghersharp.com  
www.gallaghersharp.com



A lawyer at Gallagher Sharp since 1980 and a Partner since 1987, Joe Pappalardo is a trial attorney who represents public and private companies, insurance carriers, and individuals in cases involving personal injury, wrongful death, employer intentional torts, industrial accidents, cargo, and property damage. He has litigated and tried cases in a wide variety of industries, including trucking, automobile, motorcycles, hand and power tools, aviation and automatic pedestrian doors. He concentrates his practice on trucking, motor coach, aviation and product liability matters.

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## Practice Areas

- Transportation
- Product Liability

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## Bar Admissions

- 1980, Ohio
- Supreme Court of the United States
- United States Court of Appeals for the Sixth Circuit
- United States District Court for the Northern District of Ohio
- United States District Court for the Southern District of Ohio

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## Education

- **Moritz College of Law, The Ohio State University** (J.D., 1980)  
Omicron Delta Kappa; Phi Alpha Delta
- **Case Western Reserve University** (B.A., *summa cum laude*, 1977)  
Phi Beta Kappa

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## Specialized Training

- Certified Claims Professional – Transportation (CCP)
- Advanced Claims Professional (ACP)
- Certified Litigation Management Professional (CLMP)

### CLEVELAND

1215 Superior Avenue, 7<sup>th</sup> Floor  
Cleveland, OH 44114  
Phone: (216) 241-5310  
Fax: (216) 241-1608

### COLUMBUS

35 North Fourth Street, Suite 200  
Columbus, OH 43215  
Phone: (614) 340-2300  
Fax: (614) 340-2301

### DETROIT

211 West Fort Street, Suite 660  
Detroit, MI 48226  
Phone: (313) 962-9160  
Fax: (313) 962-9167

### TOLEDO

420 Madison Avenue, Suite 1250  
Toledo, OH 43604  
Phone: (419) 241-4860  
Fax: (419) 241-4866

## Honors & Recognition

- 2018 John T. Biezup Memorial Service Award, Trucking Industry Defense Association
- Martindale-Hubbell, AV® Peer Review Rated
- *Best Lawyers in America*® 2021, 2018, and 2016 Cleveland Transportation Law Lawyer of the Year
- Listed, *Best Lawyers in America*®, Transportation Law, 2015-2024 Editions
- Outstanding Lawyers of America
- Ohio Super Lawyers, Transportation, 2004-2024

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## Professional Boards

- Themis Advocates Board of Directors
- Cuyahoga Community College Truck Driving Academy Advisory Board

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## Professional Memberships

- ClaimsXchange (Co-Provost, Claims Academy School of Transportation)
- Claims and Litigation Management Alliance (CLM) (former Co-Dean, CLM Claims College School of Transportation; former Co-Chair, Transportation Committee)
- Trucking Industry Defense Association (TIDA) General Counsel (2009-2013), Board of Directors (2004-2013)
- Trucking Defense Advocacy Council (TDAC) (Inaugural Member)
- Transportation Lawyers Association
- Ohio Trucking Association (Legislative Committee)
- Judicial Conference of the Eighth Judicial District (Life Member)
- Judge John M. Manos American Inn of Court (Master Benchers)
- Federal Bar Association
- Ohio Bar Association

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## Publications & Presentations

- Co-Presenter, "Encountering the Substratum: Laying Bare the Soul of the 30(b)(6) Corporate Representative in an Interactive Witness Focus Group," Trucking Industry Defense Association (TIDA) Annual Seminar, Las Vegas, Nevada, October 11, 2023
- Co-Presenter, "Level III: The Reptile Theory: Claim, Pretrial and Trial Tactics, Preparation of Company Witness," and "Level II: The Role of Federal Motor Carrier Safety Administration

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(FMCSA) Regulations in Truck Accident Claims,” CLM Claims College, School of Transportation, Baltimore, Maryland, August 16-19, 2023

- Co-Presenter, “What’s Driving Claims, Suits, & Verdicts? Exploring Driver Issues & How They Affect Claims & Lawsuit,” CLM Annual Conference, Tampa, Florida, March 30, 2023
- Co-Presenter, “Corporate Representative Deposition Rule 30(b)(6) Avoiding the Reptile,” Safety Director Immersive Workshop, Trucking Industry Defense Association (TIDA) Cargo & Skills Course, Phoenix, Arizona, March 22, 2023
- Co-Presenter, “Strength in Numbers ~ Discovery Responses,” Trucking Defense Advocacy Council, Fayetteville, Arkansas, September 22, 2022
- Co-Presenter, “Level III: The Reptile Theory: Claim, Pretrial and Trial Tactics, Preparation of Company Witness,” and “Level II: The Role of Federal Motor Carrier Safety Administration (FMCSA) Regulations in Truck Accident Claims,” CLM Claims College, School of Transportation, Baltimore, Maryland, September 8-9, 2022
- Panelist, “What does the Crystal Ball Foresee for Trucking Litigation?” CLM Focus, Nashville, Tennessee, June 16, 2022
- Co-Author, “The Power of Youth, Pilot Program Waives Minimum Age for Interstate Commercial Motor Vehicle Drivers,” *CLM Magazine*, pp. 10-11, May 2022
- Co-Presenter, “How to Combat the Plaintiff’s Transportation Playbook,” CLM Annual Conference, Palm Desert, California, March 24, 2022
- Speaker, “Slaying the Reptile: Countering Plaintiffs’ Discovery Tactics,” Themis Thursdays, November 4, 2021
- Panelist, “Managing the ‘Dirty Five’ Aggravating Factors in Trucking Claims and Lawsuits,” 2021 CLM Focus: Diversity, Equity & Inclusion, Management Liability, Medical Malpractice, Product Liability, Professional Liability, Transportation, Claims & Litigation Management, Chicago, Illinois, October 19, 2021
- Co-Presenter, “Level III: The Reptile Theory: Claim, Pretrial and Trial Tactics, Preparation of Company Witness,” and “Level II: The Role of Federal Motor Carrier Safety Administration (FMCSA) Regulations in Truck Accident Claims,” CLM Claims College, School of Transportation, Baltimore, Maryland, September 8-9, 2021
- Panelist, “Know Your Poker Hand: Cameras in the Cab,” CLM Annual Conference, Atlanta, Georgia, August 13, 2021
- Guest Speaker, “The Truth About Lawsuit Financing,” Information Edge with Darren Yancy, VoiceAmerica Talk Radio Network, March 24, 2021
- Panelist, “CLM Town Hall,” December 8, 2020
- Guest Speaker, “Hours of Service & How to Improve on Them,” MADGAINES Live Podcast, December 4, 2020

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- Co-Presenter, “Level III: The Reptile Theory: Claim, Pretrial and Trial Tactics, Preparation of Company Witness,” and “Level II: The Role of Federal Motor Carrier Safety Administration (FMCSA) Regulations in Truck Accident Claims,” CLM Claims College, School of Transportation, virtual classes, September 15, 2020
- Guest Speaker, “Nuclear Trucking Verdicts: Nationwide Trends and Defenses, Claims and Litigation Management Alliance (CLM) Webinar, June 24th, 2020
- Guest Interview, “Nuclear Verdicts” *Great Quarter, Guys Podcast*, FreightWaves Radio, March 10, 2020
- Guest Interview, “Nuclear Verdicts and the Reptile Theory,” *SiriusXM Road Dog Trucking*, FreightWaves Radio, January 25, 2020
- Co-Presenter, “Level III: The Reptile Theory: Claim, Pretrial and Trial Tactics, Preparation of Company Witness,” and “Level II: The Role of Federal Motor Carrier Safety Administration (FMCSA) Regulations in Truck Accident Claims,” CLM Claims College, School of Transportation, Baltimore, Maryland, September 5-6, 2019
- Panelist, “The Rise and Future of Broker Liability in Trucking Accidents,” 2019 CLM Midwest Conference, Chicago, IL, June 20, 2019
- Panelist, “Lessons Learned from \$100 Million Dollar Transportation Jury Verdicts,” CLM Annual Conference, Orlando, Florida, March 14, 2019
- Co-Presenter, “Preparation of a Truck Driver for a Reptile Deposition,” Arkansas Trucking Seminar, Rogers, Arkansas, September 19, 2018
- Co-Presenter, “Level III: The Reptile Theory: Claim, Pretrial and Trial Tactics, Preparation of Company Witness,” and “Level II: The Role of Federal Motor Carrier Safety Administration (FMCSA) Regulations in Truck Accident Claims,” CLM Claims College, School of Transportation, Baltimore, Maryland, September 6-7, 2018
- Panelist, “Defending Distracted Driving, Fatigue, and Sleep Apnea Claims,” CLM Annual Conference, Houston, Texas, March 15, 2018
- “The Roundabout: Transportation Professionals Respond to the Question, ‘What Tactics are Effective For Mediations Involving Transportation Cases?’” *CLM Magazine*, pp. 42-45, July 2017
- Panelist, “Role of Mediations in Transportation Claims,” CLM Midwest Conference, Chicago, IL 2017
- Panelist, “Implications of the Most Recent Accident Avoidance & Event Data Gathering Technology on Commercial Motor Vehicle Accident Litigation,” Transportation Lawyers Association Annual Conference, Santa Fe, NM, April 28, 2017
- Co-Presenter, “Successful Mediation Strategies for Transportation Professionals,” Claims & Litigation Management Alliance (CLM) Annual Conference, Nashville, Tennessee, March 30, 2017

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- “Keynote Address: We Know Who We Are,” Trucking Industry Defense Association (TIDA) Annual Meeting, Baltimore, Maryland, October 13, 2016
- Panelist, “Transport Topics: ELD Rulemaking, Hours of Service, Entry Level Driver Training, Medical Long Form Revision, Sleep Apnea & More,” Arkansas Trucking Conference, Rogers, Arkansas, September 15, 2016
- Faculty, Claims & Litigation Management Alliance (CLM) Claims College, School of Transportation, 2015-present
- Panelist, “Avoid the Pitfalls & Reptiles When Your Company Representative Testifies,” Commercial Motor Vehicle Collision 6<sup>th</sup> Annual Conference, October 2015
- Co-Presenter, “Recent Developments in Driver Fatigue, Technology Claims and Lawsuits.” Trucking Industry Defense Association (TIDA) Webinar, July, 2015
- “Preparing a Trucking Company Representative for Deposition – Countering the Reptile Approach,” Transportation Loss Prevention & Security Association (TLP&SA) Annual Conference, Chicago, IL, April, 2015
- Panelist, “The Reptile Theory: Implementing Effective Strategies Between Client and Counsel to Counter Reptilian Tactics,” American Conference Institute’s (ACI) 5<sup>th</sup> National Forum on Defending and Managing Trucking Litigation, Chicago, IL, March 2015
- Co-Presenter, “Countering the Reptile Approach: Claim, Pretrial and Trial Tactics,” Trucking Industry Defense Association (TIDA) Annual Conference, Las Vegas, Nevada, October 2014
- Panelist, “Who Cares About the Facts, Let’s Inflamm the Jury: Techniques Used by Plaintiff’s Counsel to Maximize Damages and Drive Up Verdicts--And What You Can Do About It,” Transportation Roundtable, CLM Annual Conference, Boca Raton, Florida, April 2014
- “Countering the Reptile Approach, Pretrial and Trial Tactics”, ACI 2014 Trucking Litigation Conference, Chicago, Illinois, April 2014
- Co-Presenter, “Preventability Determinations – Why They are Used and How to Deal With Them in Litigation,” Arkansas Truck Conference, September 2013
- Co-Presenter, “Don’t Get Thrown Under the Bus: Challenges in Claims and Lawsuits Involving Motor Coaches & Livery Vehicles,” CLM Transportation Mini Conference, June 2013
- “Overview of Recent Developments in Motor Carrier Regulations: A Peek Into the Future,” Transportation and Logistics Council’s Annual Conference, April 2013
- Panelist, “Transportation - Recent Developments, Challenges and Best Practices in Motorcoach and Trucking Claims and Litigation,” CLM Annual Conference, April 2013
- “Coping with the Complexities of CMS: A Guide to Settling Claims Involving Medicare Liens,” Hand and Power Tools SLG, DRI Products Liability Conference, April 2013
- Co-Author, “*Linhart* Verdict Reaffirms Imperative for Due Diligence in Selecting Motor Carriers,” *TortSource, Tort Trial & Insurance Practice Section*, American Bar Association, Vol. 15, No. 2, p. 3, Winter 2013

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- “Expanded Federal Regulatory Requirements: Incorporating CSA, FMCSA, DOT, and Safety Ratings Into Your Litigation Strategy,” ACI 3rd National Forum on Defending and Managing Trucking Litigation, November 2012
- “Rule Update, Regulatory & Practical Concerns of Electronic On-Board Recorders: Is Big Brother Watching?” Arkansas Trucking Conference, September 2012
- “Emerging Trucking Issues,” CLM Transportation Mini Conference, June 2012
- “What Keeps Risk Management and Safety Professionals Awake at Night,” CLM Annual Conference, March 2012
- “Driver, Owner, Broker, When Does a Freight Broker Become Responsible for a Driver’s Conduct?” *Litigation Management Magazine*, p. 12, Fall 2011
- “Federal Regulations to Require Electronic On-Board Recorders for Motor Carriers”, *The Transportation Lawyer*, Vol. 13, No. 1, July 2011
- “DOT Announces Pilot Program to Allow Mexican Trucks Into the U.S.,” *ABA Commercial Transportation Litigation Committee Newsletter*, Summer 2007
- “The 3PL Dilemma: Trucking Broker/Logistic Provider Liability,” *ABA Commercial Transportation Litigation Committee Newsletter*, Winter 2007
- “Evaluating and Defending Claims for Emotional and Neuropsychological Damages,” TIDA Annual Conference, February 2006
- “Deep Vein Thrombosis (DVT) Claims Against Airlines Under Domestic and Warsaw Convention Travel,” Transportation Lawyers Association Annual Conference, May 2005
- “Issues in Aviation Law: Defending ‘Passengers of Size’ Lawsuits,” *The Transportation Lawyer*, pp. 43-44, December 2004

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