

JOSHUA M. MIKLOWSKI



JOSHUA MIKLOWSKI is an Associate Attorney in Weston Hurd's Cleveland office. Josh's practice focuses on insurance defense, insurance coverage, employment, and commercial litigation matters.

Before joining the firm, Josh served as career law clerk to U.S. District Judge Lesley Wells, asbestos litigation law clerk to U.S. District Judge Dan Aaron Polster, and term law clerk to U.S. Magistrate Judge Jonathan D. Greenberg. Josh received his

J.D. *cum laude* in 2009 from Loyola New Orleans College of Law, where he was a member of the *Loyola Law Review*, and his B.A. *magna cum laude* in 2003 from The Ohio State University. In addition to the Ohio Bar, Josh has admission before the United States District Courts for the Northern and Southern Districts of Ohio and the United States Court of Appeals for the Sixth Circuit. Josh is the vice president (2019-2020) of the Cleveland Association of Civil Trial Attorneys as well as a member of the Federal Bar Association and the Cleveland Metropolitan Bar Association. Josh lives in Cleveland Heights with his wife Maria and their two children.

Representative Matters

-) Successfully defended appeal before the U.S. Court of Appeals for the Sixth Circuit, obtaining a decision affirming the MDL court's order dismissing plaintiff's Jones Act asbestos exposure complaint for lack of personal jurisdiction. *James Matthews, et al v. Chas. Kurz & Co., Inc. et al.*, 2019 U.S. App. LEXIS 33474 *; 2019 FED App. 0564P (6th Cir. November 8, 2019).
-) Obtained verdict for defendant, following a seven-day jury trial on employee's claims of breach of contract and unpaid overtime. *Swysgood v. Bd. of Ed. of Northwestern Local School District of West Salem*, No. 5:17CV697, (N.D. Ohio February 8, 2019).

-) Obtained order granting partial summary judgment as to plaintiff's various employment related claims. *Swysgood v. Bd. of Educ.*, No. 5:17CV697, 2018 U.S. Dist. LEXIS 103243 (N.D. Ohio June 20, 2018).
-) Obtained order granting defendant's motion for costs. *Swysgood v. Bd. of Educ.*, No. 5:17CV697, 2019 U.S. Dist. LEXIS 77828 (N.D. Ohio May 8, 2019).
-) Obtained judgment in favor of defendant following a bench trial on plaintiff's claim of negligent automobile repair. *Risch v. Motorcars Honda*, Case No. CV1901114 (Cle Hts. Muni. January 14, 2020).
-) Successfully argued a motion for partial judgment on the pleadings as to plaintiff's consumer claims. *Reo v. Walgreens Co*, Case No. CVF1800855 (Painesville Muni September 20, 2018).
-) Obtained order dismissing appeal on jurisdictional grounds after arguing that trial court order denying plaintiffs' motion to enforce settlement agreement was not a final appealable order. *Charles Griffith, et al. v. The Chelsea Condominium, et al*, Case No. CA-19-108988 (8th Dist. Ohio October 23, 2019).
-) Obtained voluntary dismissal with no consideration after demonstrating the weakness of plaintiff's premises liability case. *Breana Williams v. Family Dollar, et al.*, Case No. CV 19-917376 (Cuyahoga County, Ohio December 10, 2019).
-) Obtained voluntary dismissal with no consideration of plaintiffs' bad faith and negligent construction claims against insurer, following the filing of a motion for summary judgment. *Donald A. Martin, et al. v. Ben Rudick and Son, Inc.*, Case No. 2017 CV 03066 (Mahoning County, Ohio July 2, 2018).

Contact Information

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