GOLDBERGSEGALLA



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716.566.5457

Buffalo

Manhattan

PRACTICES

Product Liability

Toxic Tort

Class Action Litigation

Environmental Law

Asbestos

Joseph J. Welter

PARTNER

EXPERIENCE

Joseph J. Welter is co-chair of the firm's Product Liability practice group. For more than 30 years, Joe has successfully defended the interests of companies and insurers, serving as national, regional, and local trial counsel in product liability litigation across the country. His experience includes defending Fortune 500 companies in highly complex national product liability lawsuits in federal multidistrict litigation and state court mass tort settings. Joe's experience includes defending clients in product liability cases involving sports and recreational equipment, industrial equipment, health products, automotive products, forklifts, trucks, industrial vehicles and restaurant equipment, pending in New York, Pennsylvania, New Jersey, Connecticut, Michigan, Illinois, Florida, California, and other jurisdictions. Joe works with clients to develop effective litigation plans, trial strategies, and settlement matrixes for mass tort and class action claims in these litigation settings. On the science side, he works with clients to develop effective scientific and medical defenses, which includes extensive vetting and retention of expert witnesses and effective use of Daubert and Frye motions to preclude plaintiffs' experts.

As the founding chair of the firm's toxic tort and environmental practice groups, Joe focused much of his practice defending product manufacturers in toxic exposure cases, which include asbestos, legionella, excess zinc, adulterated food, benzene, and lead paint. Joe is a nationally recognized lecturer and author on emerging toxic tort issues, and a Continuing Education Instructor approved by the New York State Department of Financial Services. He is also the editor of Goldberg Segalla's Asbestos Case Tracker, which has been hailed as the "go-to" resource for significant asbestos decisions and developments throughout the country, and was named to the ABA Journal's prestigious Blawg 100 and named the Best Litigation Blog by the Expert Institute.

HONORS & AWARDS

- Martindale-Hubbell Peer Review Rating: AV Preeminent
- *Best Lawyers in America*
  - Product Liability Litigation—Defendants, 2019-27
  - Mass Tort Litigation / Class Actions – Defendants, 2024-27
- Top Rated Lawyer in Litigation, American Lawyer Media and Martindale-Hubbell, 2014
- *Super Lawyers*, Corporate Counsel Edition
- Upstate New York *Super Lawyers*, 2008–26
- *Business First*'s Who's Who in Law

BACKGROUND

ADMISSIONS

- New York
- Pennsylvania
- Georgia
- U.S. District Courts for the Western and Southern Districts of New York
- U.S. District Courts for the Eastern and Western Districts of Pennsylvania
- U.S. Bankruptcy Court for the Western District of New York

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- U.S. Court of Appeals for the Second Circuit

EDUCATION

- Hofstra University School of Law, J.D., *cum laude*, 1989
- City University of New York, B.A., *summa cum laude*, 1986

PROFESSIONAL AFFILIATIONS

- New York State Bar Association

TRAINING AND CERTIFICATIONS

- Forklift Operator Training Certificate

COMMUNITY INVOLVEMENT

- National Kidney Foundation of Western New York: Chair of Board of Directors 2006–11

PUBLICATIONS & EVENTS

PUBLICATIONS

- "Baseless Lung Cancer Filings Delaying and Depleting Compensation Resources for Legitimate Asbestos Claims: The Need for Medical and Exposure Criteria," *Mealey's Litigation Report: Asbestos*, January 25, 2023
- Editor, Goldberg Segalla's *Asbestos Case Tracker* blog: read Joseph's blog posts here
- "Toxic Exposure and Disease: Perspectives from the Scientific, Regulatory and Legal Communities On Causation," (Co-Author), *The Journal of Science & Law*, March 3, 2022
- "Virus Could Spur Avalanche of Tort and Employment Litigation," *Courthouse News,* March 27, 2020
- "Subnational Efforts to Combat Climate Change in the Wake of the Recent IPCC Call to Action" (Co-Author), DRI *The Voice*, October 31, 2018
- "Environmental Pitfalls of PFAS and 1,4-Dioxane" (Co-Author), *For the Defense,* June 2018
- "Cosmetic Talc Litigation: Two Emerging and Distinct Mass Torts" (Co-Author), American Bar Association *Toxic Torts and Environmental Law Committee Newsletter,* Summer 2017
- "Cosmetic Talc Products at the Core of Two Emerging Mass Tort Litigations," FETTI *Case Law Update Newsletter*, Spring 2017
- "Asbestos Litigation: Alive and Strong" (Co-Author), DRI *Toxic Tort and Environmental Law Compendium*, Spring 2017
- "Talc and Ovarian Cancer: Does Reliable Science Even Matter Anymore?" ABA *Toxic Tort and Environmental Law Committee Newsletter*, Winter 2017
- "Talc and Ovarian Cancer: Why Juries are Rejecting the Science and Punishing Defendants," *USLAW*, March 30, 2017
- "Talc and Ovarian Cancer: A Tale of Two Extremes," DRI *Toxic Torts Newsletter*, December 19, 2016

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- "Talc and Ovarian Cancer: Does Reliable Science Even Matter Anymore?" Chem.Info, September 20, 2016
- "Legal Perspectives for Processed Meat Producers," *Prepared Foods*, February 1, 2016
- "Punitive Damages in Mass Tort Cases: Discovery and Trial Strategies," *InsideCounsel*, August 10, 2015
- "'Weight of the Evidence' Approach: A Backdoor Attempt to Undermine the Court's *Daubert* Gatekeeping Obligation" (Co-Author), DRI *For the Defense*, September 2014
- "Asbestos Litigation: Alive and Strong in 2014" (Co-Author), DRI *For the Defense*, April 2014
- "Wireless Devices and Mobile Apps: FDA Speaks" (Co-Author), DRI *Medlaw Update*, February 28, 2014
- "Plaintiff Win in Asbestos Case May Not Be Defense's Loss" (Co-Author), *Law360*, December 18, 2013
- "Apportioning Liability in Jurisdictions with Fault Allocation: Sorting Out Verdict Form and Other Complexities Given That Today's Cases Name Dozens of Parties as Liable for Exposure," American Conference Institute's 15th National Advanced Forum on Asbestos Claims & Litigation, New York, NY, October 7–8, 2013
- "Pennsylvania Supreme Court Rejects "Any Exposure" Expert Opinion" (Co-Author), *Chartis Legal Insights*, Fall 2012
- "Multidistrict Litigation: What Is It, and What Can You Do About It?" DRI *For the Defense*, December 2010
- "Should Local Installers That Provide Asbestos-Containing Materials Be Subject to Products Liability Claims?" DRI *Toxic Torts and Environmental Law Newsletter*, April 2009
- "Through Regulations and in Court: The 2008 CPSIA Starts to Take Shape" (Co-Author), DRI *For The Defense*, April 2009
- "CPSC Power Expands: Legislation Brings Change to Consumer Products Industry" (Co-Author), *USLAW Magazine*, Spring/Summer 2009
- "Retailer's Particular Purpose Warranty: A Fine Line Between Customer Service and Liability Exposure," DRI *In-House Defense Quarterly*, Winter 2009
- "Negotiating the Landscape of Increased Penalties Under CPSIA" (Co-Author), DRI *For the Defense*, February 2009
- "The New CPSC Public Database of Incidents" (Co-Author), DRI *For the Defense*, December 2008
- "The Consumer Product Safety Improvement Act of 2008: Preparing for the Unknown and the Unknowable" (Co-Author), DRI *For the Defense*, October 2008

PRESENTATIONS

- "MDL Litigation and Defense Strategies," Client Presentation, August 14, 2025
- "MDL Litigation and Defense Strategies," Client Presentation, June 17, 2025
- "MDL Litigation and Defense Strategies," Client Presentation, May 19, 2025
- "Multi-District Litigation (MDL) Defense and Settlement Strategies," Client Presentation, May 8, 2025
- "Reimagining Smoking Lung Cancer Cases" (Co-presenter), Client Presentation, January 16, 2024
- "Toxic Exposure Causation: Critical Distinctions in Scientific Analysis, Regulatory Perspective and Court Gatekeeping," (Panelist), National Forum for Environmental & Toxic Tort Issues, Chicago, IL, September 30, 2021

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- "Lung Cancer Update," National Asbestos Litigation Conference, San Francisco, CA, September 27-29, 2021
- "Baseless Science—the Rise in Environmental Risks from the Lack of Court Gatekeeping," (Panelist), Perrin Environmental Risk & Litigation Conference, October 22, 2020
- "The State of the Bankruptcy Trusts," (Presenter), Perrin National Asbestos Litigation Conference, San Francisco, CA, September 9, 2019
- "PFAS 2.0/Poly & Perfluoralkyl Substances: Looming Litigation and Associated Claims," (Co-Presenter), EECMA Annual Conference, Orlando, FL, May 1, 2019
- Panelist, "Diversity and Inclusion in the Legal Industry," Perrin Conference, Philadelphia, PA, November 1, 2018
- "Article 16, Setoffs, and Trial Subpoenas in Asbestos Cases," JDAL Asbestos Defense Summit, Verona, NY, October 26, 2018
- "Water Alert: Keys to Mitigate Risk, Assess Damage, and Defend Lawsuits that Arise From Contamination to our Nation's Drinking Water Supply," GS Client Presentation, October 24, 2018
- Talc Litigation Update: A Study of the Latest Cases Concerning Talc Minerals and Asbestos Contaminated Talc and Their Alleged Carcinogenic Properties," American Conferences Institute 23rd National Advanced Forum on Asbestos Claims and Litigation, Chicago, IL, May 21-23, 2018
- Panelist, "The Triple Threat from PFAS-Related Chemicals: Toxic Tort, Product Liability, and Environmental Cleanups," 33rd Annual Environmental and Emerging Claim Manager Association Conference (EECMA), Orlando, FL, April 25-27, 2018
- "Water Alert: Keys to Mitigate Risk, Assess Damage, and Defend Lawsuits that Arise From Contamination to our Nation's Drinking Water Supply," AIG, New York City, NY, April 11, 2018
- "Talc and Ovarian Cancer: The Dilution of Scientific Causation," DRI Asbestos Medicine Seminar, Las Vegas, NV, November 2, 2017
- "Epidemiology 101," DRI Asbestos Medicine Seminar, Las Vegas, NV, November 2, 2017
- "The Mechanics of Proving Shares—158-108 and Article 16, Update on Recent Jurisdictional Developments" (Co-Presenter), JDAL Asbestos Defense Summit, Schenectady, NY, October 27, 2017
- "Talc Issues: Both Pure and Asbestos Contaminated Talc Matters," Nationwide: Asbestos Summit IV, Wassau, WI, October 24, 2017
- "Jurors in the Millennial Age: Insurer Concerns and Strategies for Managing Claims" (Co-Presenter), October 12, 2017
- Use of Cutting Edge Experts to Identify Risk, Write Coverage, Set Reserves, and Manage Claims" (Co-Presenter), AIG CE/CLE Symposium, Jersey City, NJ, July 18, 2017
- "Jurors in the Millennial Age—A Tactical Approach to Conveying Your Case to the New Age of Jurors," ACI's Toxic Tort & Environmental Litigation, Chicago, IL, June 22, 2017
- "Talc and Ovarian Cancer An Overview of the Science and Litigation" (Co-Presenter), Liberty Mutual's Complex & Emerging Risk Claims Department (CERC), Dover, NH, June 13, 2017
- Moderator, "Game-Changing Asbestos Developments: This Past Year's Most Significant Verdicts and Decisions," Goldberg Segalla Toxic Torts and Environmental Law Seminar, May 23, 2017
- Moderator, "What's Coming Now and in the Future: A Roundtable Chat on Emerging Issues in Talc, Nanotechnology, and Marijuana," Goldberg Segalla Toxic Torts and Environmental Law Seminar, May 23, 2017
- Talc Science Debate/Update," ABA Spring Toxic Tort and Environmental Law Committee Meeting, Phoenix, AZ, April 8, 2017
- "Reviewing the Recent Uptick in Talc Cases: Litigating Claims Involving Products Containing Talc (Industrial, Cosmetic) and Determining How the Increase in Ovarian Cancer Claims Factors Into These," ACI's Asbestos Claims and Litigation Conference,

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Philadelphia, PA, January 12, 2017

- "Overview on Upstate New York," The New York Asbestos Litigation Conference, Perrin Conferences, New York, NY, December 6, 2016
- "Talc/Ovarian Cancer and Asbestos-Contaminated Talc: A Litigation Overview," Cardno Chemrisk Talcfest 2016, New Orleans, LA, November 9, 2016
- "Talc and Ovarian Cancer: Overview of This Emerging Litigation," Toxic Tort/Environmental Scouting Report Seminar, Chicago, IL, October 18, 2016
- Moderator, "Toxic Tort/Environmental Scouting Report; Staying Ahead of the Curve," Chicago, IL, October 18, 2016
- "Introduction to Food Legislation and Regulation in the United States," Food Litigation ExecuSummit, Uncasville, CT, February 1, 2016
- "Dealing with Increased Requests for Corporate Witness Depositions and Preparing Company Witnesses for Testimony," ACI Asbestos Claims and Litigation Conference, Philadelphia, PA, January 15, 2016
- Panelist, "Asbestos Litigation: Business as Usual in a 'Judicial Hellhole?,'" Lawsuit Reform Alliance of New York, New York, NY, June 30, 2015
- Panelist, "Asbestos Medicine With a Focus on Lung Cancer," ACI's National Advanced Forum on Asbestos Claims & Litigation, Chicago, IL, June 23-24, 2015
- "Key Jurisdictional Updates in California, Illinois, Louisiana, and Pennsylvania," Cutting-Edge Issues in Asbestos Litigation Conference, Beverly Hills, CA, March 16-17, 2015
- Conference Chair and Presenter, "NYCAL Updates/Developments," First Annual Asbestos Litigation Strategies ExecuSummit, Uncasville, CT, December 2-3, 2014
- "Apportioning Liability in Jurisdictions with Fault Allocation: Sorting Out Verdict Form and Other Complexities Given That Today's Cases Name Dozens of Parties as Liable for Exposure," American Conference Institute's 15th National Advanced Forum on Asbestos Claims & Litigation, New York, NY, October 7–8, 2013
- "Apportioning Liability in Jurisdictions with Joint and Several Liability and/or Fault Apportionment: Sorting Out Verdict Form and Other Complexities Given That Today's Cases Name Dozens of Defendants as Liable for Exposure," ACI Annual Asbestos Claims and Litigation Conference, Chicago, June 26–27, 2013
- "Apportioning Liability in Jurisdictions with Joint and Several Liability and/or Fault Apportionment: Sorting Out Verdict Form and Other Complexities Given That Today's Cases Name Dozens of Defendants as Liable for Exposure," ACI Annual Asbestos Claims and Litigation Conference, Philadelphia, January 2013
- "Automobile Issues and Trends," New York State Bar Association, Law School for Claims Professionals, Syracuse, New York, September 2008
- "State of the Art in Toxic Tort Cases: Convincing the Jury the World is Flat," September 2008
- "Belt and Suspenders: Don't Get Caught With Your Insurance Coverage Pants Down," Buffalo Claims Association, 2006

WEBINARS

- "Product Liability Series: Containing Nuclear and Thermonuclear Verdicts," (Co-Presenter), GS Webinar Series, May 30, 2023
- "The Impact of COVID-19 on Asbestos Litigation in 2020 and Beyond," (Co-Presenter), GS Webinar Series, April 8, 2021
- "COVID-19 Toxic Exposure Claims," (Co-Presenter), GS Webinar Series, April 8, 2020
- "Coronavirus Risk Forecast: Coverage and Claims Analysis for Toxic Tort, Employment, Workers' Comp, Cyber, and Insurance Policy Concerns," (Co-Presenter), Perrin Conferences, March 27, 2020

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- "To Warn or Not to Warn: When the Science Behind the Hazard is Controversial" (Co-Presenter), MedMarc Risk Management Webinar Series, March 22, 2017
- "Medical Causation 101," Webinar, November 28, 2016
- "Mobile Medical Apps: FDA Regulation and Products Liability Implications," Medmarc Webinar, October 23, 2013