

O'TOOLE SCRIVO

ATTORNEYS AT LAW



Joseph J. McGlone

Partner

TEL: (973) 239-5700 | FAX: (973) 239-3400 | jmcglone@oslaw.com

Mr. McGlone is a Certified Civil Trial Attorney whose practice concentrates in a variety of complex litigation areas, including insurance services, products liability, construction, toxic tort, commercial and municipal property taxes. He has successfully litigated the defense of numerous actions through trial in New Jersey and Pennsylvania. He has handled a significant number of appeals before the New Jersey Appellate Division and Supreme Court. Mr. McGlone also provides seminars to his clients and fellow attorneys on a wide range of issues, including insurance law developments, dram shop and negligent security litigation, and trial techniques.

Mr. McGlone graduated from Seton Hall University, *magna cum laude*, in 1985. He received his Juris Doctorate from Seton Hall University School of Law, *cum laude*, in 1991. Following law school, he was a law clerk to the Honorable Nicholas J. Mandak, A.J.S.C. and then served as an Assistant Prosecutor in Bergen County from 1992 to 1998. Prior to joining O'Toole Scrivo, he was a partner at an Am Law 200 firm based in Morristown, New Jersey.

Notable Representations

Kubert v. Best, 432 N.J. Super. 495, 501 (App. Div. 2013)

Mr. McGlone won summary judgment in favor of a girl who sent a text message to her boyfriend, who then became involved in a motor vehicle accident when he received the text message while driving. He had an accident with two motorcyclists. The motorcyclists sustained serious injuries, including partial loss of legs to each. The Appellate Division ruled that the trial court properly granted summary judgment to the sender of the text because plaintiffs did not produce sufficient evidence to prove that sender had knowledge or had a special reason to know that when she texted the driver he would be viewing the text while driving.

Mr. McGlone successfully represented an employer in a case involving the exclusive remedy provision of the New Jersey Workers Compensation Act. The case involved a job site fatality and whether an employer's failure to cure hazardous conditions in violation of OSHA directives, coupled with the employer's intentional deception of OSHA, constituted an intentional wrong under Act. Mr. McGlone won summary judgment at the trial level which was affirmed on appeal. The Supreme Court reversed for a new trial, finding that the determination of "substantial certainty" element of the intentional wrong cause of action was a question of fact, precluding summary judgment.

Memberships & Affiliations

- Certified Civil Trial Attorney
- Seton Hall Prep Headmaster's Committee (2009 to 2012)
- Graduate of Seton Hall School of Law Inn of Court
- Founding Fellow, *Advocati Christi*, St. Paul Inside the Walls, Madison, NJ
- Morristown St. Patrick's Day Parade Committee

Practice Areas

Appellate, Complex Litigation, Construction, Insurance & Reinsurance, Municipal and Local Government, Product Liability, Toxic and Mass Tort

Admissions

- State of New Jersey
- State of New York
- U.S. District Court, District of New Jersey

Education

- Seton Hall Law School (J.D., *cum laude*, 1991)
- Brooklyn College (M.A. 1987)
- Seton Hall University (B.A., *magna cum laude*, 1985)