



JOSEPH V. MESSINEO

Attorney

Goosmann Law Firm

MessineoJ@GoosmannLaw.com

Direct: (402) 315-1242

Office: (402) 280-7648

The Advent Building

17838 Burke Street, Suite 250

Omaha, NE 68118

www.GoosmannLaw.com

Attorney Joseph V. Messineo is a thorough and tough, but fair-minded litigation attorney who works with clients in a wide range of industries to protect their assets and business models from breaches of contracts, claims in litigation and undue regulatory burdens.

Joseph provides advice on how to address potential claims from the outset and how to develop potential claims against other parties. This includes necessary changes in business structures and models, preserving evidence, potentially changing relationships with other parties, addressing provisions of contracts and regulations, contacting opposing parties to demand redress/settlement, and conducting settlement negotiations including formal alternative dispute resolution forums. Should litigation become necessary, Joseph will be your attorney throughout the entire process, from initial claim or defense development through appeal.

Education:

Creighton University School of Law, Juris Doctorate, *cum laude*, 2000

University of Nebraska, Bachelor of Arts, 1994

Bar Admissions:

State: Nebraska, Iowa and Arizona

U.S. District Court for the Western District of Texas, U.S. 10th Circuit Court of Appeals and the U.S. Federal Court of Claims

Employment:

Messineo Law, P.C., L.L.O., Omaha, NE

Owner, January 2021-April 2022

- Conduct all aspects of litigation in federal court, both plaintiff and defendant; actions under the Federal Administrative Procedures Act challenging federal government regulatory authority;

conduct negotiations with federal agencies regarding federal government regulatory authority; advise clients on compliance with federal regulations; DUI defense; create business organizations pursuant to state law; general practice.

Barnhouse Keegan Solomon and West, LLP, Albuquerque, NM

Attorney, September 2019-December 2020

- Conduct all aspects of litigation in federal court, both plaintiff and defendant; actions under the Federal Administrative Procedures Act challenging federal government regulatory authority; conduct negotiations with federal agencies regarding federal government regulatory authority; advise clients on compliance with federal regulations.

Big Fire Law & Policy Group, LLP, Omaha, NE

NE Attorney, April 2019 – September 2019

- Big Fire Law & Policy Group, LLP was a new venture by former members of Fredericks Peebles & Morgan, LLP. Work performed and client base was the same as Fredericks Peebles & Morgan, LLP

Fredericks Peebles & Morgan, LLP, Omaha, NE,

Partner, May 2006-March 2019.

- Litigation: conduct all aspects of litigation in federal, state and tribal courts, both plaintiff and defense; try bench trials; conduct numerous appeals and appellate court oral arguments; conduct arbitration hearings, including appellate work on the application and scope of the Federal Arbitration Act; draft pleadings; draft motions for pretrial injunctive relief; oppose motions for pretrial injunctive relief; draft discovery requests; respond to discovery, including complex electronically stored information discovery; draft electronically stored information discovery protocols; conduct depositions; discovery motion practice; dispositive motions practice; engage in multiple jurisdiction litigation; evaluate evidence and law and advise client on likelihood of success at trial; conduct trial preparation, witness preparation, expert witness preparation, exhibit preparation.

Areas of litigation: breach of contract claims; employment contract claims; residential and commercial eviction; real estate title rights; creditor and debtor claims; commercial lien foreclosures; commercial construction defects; corporate governance claims; shareholder disputes; business regulatory matters, state and federal; administrative law matters including extensive experience with Federal Administrative Procedure Act matters; ERISA employer health benefits plans; U.S. and tribal constitutional claims; tribal treaty rights claims, federal oil and gas leasing; National Environmental Policy Act; Americans with Disability Act and Fair Housing Act; some experience in defense of federal criminal investigations and federal grand jury proceedings.

Transactional and advisory: prepare advisory opinions regarding corporate governance to corporate boards; conduct corporate board legal advisory meetings; advise corporations on regulatory law; draft corporate by-laws and resolutions; draft contracts and advise corporations on contracts; manage and prepare submissions in federal and state regulatory rule making; manage contract negotiations for employer under the National Labor Relations Act; advise on employee benefits plans (health and retirement) under ERISA; draft numerous statutory codes including tax codes and workers compensation codes based upon state law models; advise

corporations on governmental administrative matter; advise corporations on sales, use, and excise tax matters; advise corporations on litigation matters; advise corporations and tribal officers on and draft real estate tax agreements with local and state governments for real estate transactions; draft real estate and excise tax deferment agreements between Indian tribal governments and local and state governments; advise landlord clients on proper methods of managing property and when evictions are legally tenable; advise tribal landlord clients on tax credit programs for purchase of real estate.

Arizona Attorney General, Phoenix, AZ

Asst. Attorney General, February 2004- May 2006.

- Enforcement of the 1998 Tobacco Master Settlement Agreement and related Tobacco Escrow Statute and Directory Statute; conduct litigation against companies that violated state regulations; advise the Attorney General and Arizona legislature on compliance issues with the Master Settlement Agreement and advise on status of payments under the Agreement; Represent the Arizona Department of Real Estate in licensing matter and conduct administrative trials on license denials. In this position I developed a comprehensive understanding of government regulatory power and enforcement perspectives.

September 2000-January 2004

- Workers compensation defense, plaintiff's personal injury, and misdemeanor criminal defense work.