



→ Joshua Schlenger

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Joshua Schlenger is special counsel in the Business Trial Practice Group in the firm's New York office.

Areas of Practice

Josh represents corporate clients and other business entities in high-stakes litigation in New York Courts and jurisdictions nationwide. He guides clients in the financial services, pharmaceutical, aerospace and manufacturing industries through commercial, trade secrets, securities fraud, and bankruptcy litigation.

Clients, opposing counsel, and judges appreciate Josh for his ability to present complex facts and legal concepts in understandable ways. Josh's skill in this regard enables him to obtain results for his clients at all phases of litigation, from pre-complaint to appeal.

Josh regularly litigates contested proceedings in bankruptcy court. In 2018, he secured a total defense judgment following a bench trial in a \$67 million breach of contract adversary proceeding in the U.S. Bankruptcy Court for the Eastern District of Virginia. Over the course of the litigation, which spanned three years, Josh successfully argued multiple motions involving novel issues related to federal and bankruptcy court jurisdiction, examined witnesses in deposition and at trial, and prepared winning court submissions, including the victorious post-trial proposed findings of fact and conclusions of law.

An experienced trial lawyer, Josh recently helped a major national bank favorably resolve a preliminary injunction hearing and obtain partial summary judgment in a breach of contract and tortious interference action in New York's Commercial Division. He also served as co-trial counsel for a major aircraft manufacturer in a trade secrets action against a former employee in Florida state court, and as co-trial counsel for purchasers of assets from a chapter 11 coal company debtor, who were sued by their proposed financier for breach of a financing commitment letter.

Josh is a member of the New York City Bar's Commercial Law & Uniform State Laws Committee, which makes recommendations to the New York Legislature regarding the adoption of the Uniform Law Commission's proposed Uniform Laws. Josh has also been active in synagogue and communal organizational leadership.

Prior to joining Sheppard Mullin, Josh interned at the Appeals Bureau of the Queens County District Attorney's office and was a litigator at major national law firms, including one of the country's preeminent bankruptcy firms.

Honors

"Ones to Watch," *Best Lawyers*, 2024

Articles

New York Commercial Division Round-Up Blog

- "New York County Commercial Division Decision Highlights the Hurdles Defendants Face in Asserting Fraudulent Inducement Defense to Breach of Contract," February 12, 2024
- "The Commercial Division Rejects Yet Another Insured's Claim for Coverage for Covid-Related Revenues Losses," February 21, 2023
- "The Second Department Weighs in on Tolling vs. Suspension of Statutes of Limitation Pursuant to Governor Cuomo's COVID-era Executive Orders," July 6, 2021
- "Governor Cuomo's "Tolling" of New York Statutes of Limitation Has Ended, But What Did It Accomplish?" March 3, 2021

Media Mentions

The End of Noncompetes? Defendants Win—While FTC Proposes Change
Connecticut Law Tribune, 01.31.2023

Events

New York Real Estate Post Covid-19: Strategies & Perspective
Webinar, 06.15.2021

Practices

Alternative Dispute Resolution

Appellate

Appellate

Class Action Defense

Distressed Real Estate Loan Workouts and Enforcement

E-Discovery

Financial Services Litigation

Litigation

Securities Litigation

Toxic Tort and Product Liability

Industries

Aerospace & Defense

Aviation

Energy, Infrastructure and Project Finance

Financial Services

Government Business

Healthcare

Transportation

Education

J.D., University of Pennsylvania, 2010, Associate Editor and Senior Editor, *University of Pennsylvania Law Review*

B.A., Queens College, City University of New York, 2007, *summa cum laude*, Phi Beta Kappa

Admissions

New York

United States District Court, Southern District of New York

United States District Court, Eastern District of New York

United States District Court, New York Southern Bankruptcy Court

United States District Court, Eastern District of Michigan

United States Court of Appeals, Third Circuit

United States Court of Appeals, Sixth Circuit

Languages

Hebrew