Joshua S. Stern

Of Counsel
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PRACTICE AREAS

Business Litigation + Counseling
Design Professionals

EDUCATION

University of Illinois College of Law, JD, *magna cum laude*, 2004
Lehigh University, BA, *with honors*, 2001

BAR ADMISSIONS

New Jersey
New York
US District Court, Southern District of New York
US District Court, Eastern District of New York
US District Court, Northern District of Illinois

Overview

Joshua Stern is an experienced litigator who has obtained numerous successful results at the trial and appellate levels, as well as in alternative dispute resolution procedures throughout the country. He has extensive experience representing architects and engineers, and has defended personal injury, labor law, property damage and complex commercial disputes in state and federal courts. In one case, Josh obtained a multi-million dollar arbitration award against a Fortune 500 company for breach of contract, including an award for costs and attorneys' fees after proving a willful breach.

Previously, Josh was of counsel at Donovan Hatem, which was acquired by MG+M The Law Firm, as well as at Wilson Elser, where he represented a multi-billion dollar transportation company.

Experience

+ Obtained dismissal in favor of a geotechnical engineer in personal injury action on the basis that the engineer did not supervise or control the plaintiff's work.
+ Successfully moved to dismiss a condominium association's indemnification claim against a mechanical, electrical and plumbing (MEP) engineer due to lack of privity or its functional equivalent with the engineer.
+ Obtained summary judgment on behalf of civil engineering firm in a contract dispute about changed conditions.
+ Represented dismantling engineer in $40+ million negligence dispute.
+ Obtained a $2.00 million arbitration award in a commercial dispute involving a Fortune 500 company, which included arbitration costs based on a finding of willfulness.
+ Obtained $10+ million settlement on behalf of a distributor client who successfully incorporated termination protections within its Terms & Conditions.
+ Successfully defeated on summary judgment a federal lawsuit seeking more than $2 million in damages and impleaded the contract amount; case involved a writ of attachment filed by a bank against an Indonesian paper company and its subsidiaries.
+ Counseled Illinois beer importer on best method to lawfully terminate existing distribution network; defeated preliminary injunction brought

by 15 beer distributors, and had appellate court adopt beneficial statutory construction of franchise law statute.

Involvement

+ American Bar Association
+ New York State Bar Association
+ American Council of Engineering Companies of New York

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