



JOSHUA W. B. RICHARDS

PARTNER

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SERVICES

Campus Investigations Team
Cybersecurity and Privacy
Employee Benefits and
ERISA Litigation
Appellate
Litigation
Commercial Litigation
Securities Litigation

INDUSTRIES

Higher Education

Josh Richards helps clients involved in complex commercial and regulatory disputes address the issues they face through litigation, appeals and strategic responses to government enforcement agencies, particularly for colleges and universities. The depth of his experience representing industries ranging from higher education to insurance is complemented by the breadth of the courts where he has handled cases, ranging from state courts to the Second, Third, Fourth, Sixth, Ninth, and Eleventh Circuit Courts of Appeals, the United States Supreme Court, and Pennsylvania's appellate courts.

Because many of Josh's clients operate in a highly regulated environment, he has an appreciation for the need to stay current on rapidly-evolving regulations. His ability to craft defenses and creative solutions in line with an ever-changing environment demonstrates his technical grasp of the law and his comfort with helping his clients confront and respond to complex legal situations to reach mission- and business-driven solutions. Josh also has a first-hand perspective on how courts operate and adjudicate complex issues from his service as a board member for Pennsylvanians for Modern Courts, which advocates for the use of a merit system in selecting judges, and his past role as a law clerk for a federal judge in the Eastern District of Pennsylvania.

EXPERIENCE

Higher education

Josh is the Vice-Chair of the Higher Education Practice and a go-to member of its team which has handled hundreds of matters involving Title IX and related issues for colleges, universities and K-12 schools. Josh understands that these institutions have unique challenges and priorities and he approaches the Title IX work and other matters involving litigation, compliance and/or government investigations from a mission-driven perspective. He strives to provide practical advice that protects institutions without compromising their ability to fulfill their primary purposes. Josh brings this understanding and approach to matters involving employment disputes, student conduct, faculty relations, board governance, financial exigency,

accreditation, minors on campus, and civil tort claims, including student death and abuse matters. Josh is a regular presenter at conferences on higher education law, and serves on the Board of Directors of the National Association of College and University Attorneys. In addition, he regularly conducts on-site training sessions for higher education clients regarding compliance with civil rights laws and the Clery Act, and also advises them on policy matters.

Given the sensitivity of these matters, client names can be provided upon request, with client consent.

Commercial and Appellate Litigation

Josh has broad experience handling commercial and appellate litigation, including disputes involving insurance coverage and arbitration, trusts and estates, complex business litigation, securities, and bankruptcy.

- A large state university on an interlocutory appeal in the Pennsylvania Superior Court in a matter arising from multiple abuse allegations
- A national title insurance company in the Pennsylvania Superior Court in a matter related to insurance coverage
- A private client in a high-profile trusts and estates matter in the U.S. Court of Appeals for the Ninth Circuit and the United States Supreme Court
- A group of amici in an appeal before the Eleventh Circuit Court of Appeals related to the constitutionality of a national health care law
- A large insurer in the Ninth Circuit Court of Appeals in an appeal arising from the arbitrability of the underlying case
- An international reinsurance company in the Second Circuit Court of Appeals in a landmark case related to the legal standard for arbitrator impartiality
- A chemical company on appeal in the Third Circuit Court of Appeals following a multi-million dollar adverse trial judgment
- Public companies facing derivative shareholder actions and allegations of securities fraud
- A South American country in an action to enjoin arbitration in the United States in connection with its nationalization of its telecom sector
- A debtor before the U.S. Supreme Court in an action challenging the government's interpretation of a U.S. Trustee's duty to object to exemptions under the Bankruptcy Code
- Petitioners in a matter before the U.S. Supreme Court challenging the validity of portions of Bankruptcy Abuse Prevention and Consumer
- Protection Act (BAPCPA) on First Amendment grounds
- A large asset management company in multiple class actions asserting securities law violations in connection with mutual funds

HONORS

Named one of *The Legal Intelligencer's* Lawyers on the Fast Track, 2015

Named to the Irish Legal 100 : Irish Rising Stars list, 2016

Named a "Future Star" in Pennsylvania by *Benchmark Litigation*, 2018 to present

Named a "Top Litigator Under 40" by *Benchmark Litigation*, 2017 to present

Named to the *Pennsylvania Super Lawyers* "Rising Stars" List for Schools & Education, 2017 to present

MEMBERSHIPS AND AFFILIATIONS

Board of Trustees, Peirce College

Board of Directors, National Association of College and University Attorneys (NACUA)

Board of Directors, Pennsylvanians for Modern Courts

Associate Member, The Consular Corps Association of Philadelphia

EDUCATION

J.D., University of Pennsylvania School of Law, 2006, *cum laude*

B.A., Middlebury College, 2002, *magna cum laude and with honors*

BAR ADMISSION

District of Columbia

Pennsylvania

Vermont

FIRM INVOLVEMENT

Vice Chair, Higher Education

Co-Chair, Appellate

Evaluation Committee

CLERKSHIPS

Law Clerk, Hon. Norma Shapiro, District Judge for the Eastern District of

Pennsylvania