

Joshua

Partner

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For more than 20 years, Josh Klein has represented many of the nation's largest financial institutions in complex commercial disputes, FINRA arbitrations and regulatory and enforcement proceedings. Josh's civil litigation experience includes defending claims of breach of contract, fraud, tortious interference, fiduciary duty, antitrust and violations of the Racketeer Influenced and Corruption Organizations Act (RICO). Josh is also sought out to advise and defend many of these same institutions and their broker-dealer affiliates and executives on a wide variety of regulatory, investigatory and enforcement proceedings initiated by governmental agencies and self-regulatory organizations. His clients turn to him to guide them through all phases of enforcement actions and internal investigations, including responding to 8210 notices, preparing for and defending OTR (on-the-record) interviews and, where appropriate, effectively negotiating the terms of Acceptance, Waiver and Consent (AWC) Agreements.

A seasoned litigator, Josh regularly appears before federal and state courts across the country and has arbitrated extensively before the predominant arbitral bodies, including the Financial Industry Regulatory Authority (FINRA), where he has defended claims involving suitability, sales practice violations, churning, negligent supervision and unauthorized trading.

Industries

[Finance](#)

Practices

[Environmental, Social &](#)

[Governance \(ESG\)](#)

[Government Enforcement &](#)

[Investigations](#)

[International Arbitration](#)

[Litigation](#)

[Appellate Litigation](#)

[Construction Litigation](#)

[Financial Institutions Litigation](#)

Credentials

Education

- Brooklyn Law School, J.D., 2001

Bar Admissions

- New York

Thomson Reuters

- *New York Metro Super Lawyer*, 2012 – 2023
- *New York Metro Super Lawyer*, Rising Stars, 2011

Resources

Second Circuit Upholds Regulation BI

Update

What Labor Nominee Walsh Means for the Fiduciary Rule's Future

Article

ESG Seminar: ESG Fundamentals and Litigation

Video

What Labor Nominee Martin Walsh Means for the Future of the Fiduciary Rule

Update

DOL Signals Plan to Embrace ESG Investing

Update

New SEC Task Force Confirms Commitment to ESG Focus

Update

Will Generic ESG Statements Lead to a Wave of Securities Litigation?

Update

Will Mandated ESG Disclosures Lead to Increased Litigation Risk?

Update

Supreme Court's Ruling in Goldman Sachs Leaves Open a Path for Securities Fraud Claims Based on Generic ESG Statements

Update

FINRA's Eileen Murray Defends Increased Regulation of ESG

Update

Generic ESG Statements Remain Under Fire: Class Certification Granted for the Third Time as the Saga of the Goldman Sachs Securities Litigation Continues

Update

FINRA Facts and Trends: May 2022

Newsletter

FINRA Facts and Trends: June 2022

Newsletter

FINRA Facts and Trends: July 2022

Newsletter

FINRA Facts and Trends: September 2022

Newsletter

FINRA Facts and Trends: October 2022

Newsletter

FINRA Facts and Trends: November 2022

Newsletter

FINRA Facts and Trends: January 2023

Newsletter

Generic ESG Statements and Securities Class Actions: Goldman Sachs Secures Second Circuit Victory in Long-Running Class Certification Battle

Update

FINRA Facts and Trends: October 2023

Newsletter

FINRA Facts and Trends: September 2023

Newsletter

FINRA Facts and Trends: July 2023

Newsletter

FINRA Facts and Trends: May 2023

Newsletter

FINRA Facts and Trends: December 2023

Newsletter

FINRA Facts and Trends: January 2024

Newsletter

Time Has Come for Special Masters to Streamline Bankruptcy Cases

Article

FINRA Facts and Trends: March 2024

Newsletter

FINRA Facts and Trends: April 2024

Newsletter

FINRA Facts and Trends: November 2024

Newsletter

FINRA Facts and Trends: February 2025

Newsletter

Publications & Speeches

- "Time Has Come for Special Masters to Streamline Bankruptcy Cases," *Bloomberg Law*, February 13, 2024.