

## 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](#)

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## **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

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## 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

# BRACEWELL

## **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

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## **Publications & Speeches**

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