



→ 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 State and Federal courts and jurisdictions nationwide. He is an experienced trial attorney guiding clients in the financial services, pharmaceutical, aerospace, manufacturing, and other industries through commercial, real estate, distressed assets, antitrust, 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 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, as well as the City Bar's Ethics Committee. 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*, 2024-2025

Experience

Representative Experience

- Secured temporary restraining orders and preliminary and permanent injunctions on behalf of clients in state and federal courts in complex trade secrets and restrictive covenants cases throughout the country
- Successfully represented defendant employees and new employer at preliminary injunction hearing in non-compete suit in federal court in Connecticut
- Represented landlords and tenants in commercial real property actions in New York state court
- Represented former director of company in derivative action in Delaware Chancery Court
- Represented non-party served with restraining notices and subpoenas in post-judgment garnishment and collection proceeding
- 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
- Served as co-trial counsel for a major aircraft manufacturer in a trade secrets action against a former employee in Florida state court
- Secured a total defense judgment 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, 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.
- Argued novel issues of Delaware law relating to equity incentive plans before the Delaware Supreme Court

Articles

New York Commercial Division Round-Up Blog

- "Commercial Division Moves Towards Adopting Additional Initial Disclosure Requirements," April 17, 2025
- "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

Speaking Engagements

- "Protecting Privilege: In-House Counsel, Consultants & Internal Investigations," myLawCLE, July 30, 2025
- "A Contract is a Contract – or Is It?" myLawCLE, June 4, 2024

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 & Government Services

Aviation

Energy, Infrastructure and Project Finance

Financial Services

Healthcare

Private Equity

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