



Joshua S. Bauchner

Joshua S. Bauchner is a partner with the Firm and Co-Chair of the Litigation Department as well as a member of the Cannabis Law, Community Association Law, and Bankruptcy practice groups. His areas of concentration include complex commercial, class action, bankruptcy-related, and securities litigation, including: enforcing commercial lease agreements, guaranties, purchase and sale contracts, and commission agreements; litigating partnership disputes; defending against class-actions arising from alleged violations of consumer protection and related statutes; litigating claims arising from bad faith denial of insurance coverage; and defending against commercial foreclosure actions.

Representative matters include:

- Prosecuted construction and design defect claims against sponsor, developer and architect of a luxury condominium building in New York City.
- Prosecuted bankruptcy trustee's claims for fraudulent conveyance, business torts, and a violation of the Bank Holding Company Act, against more than 40 commercial and investment bank defendants.
- Defended a landlord against business interruption and related claims arising from the 1993 terrorist attack on the World Trade Center.
- Obtained favorable settlement for an institutional investor asserting securities, Blue Sky, and related common law claims against commercial and investment bank defendants.
- Defended Boston-area hospital against medical malpractice and related claims seeking \$50 million in damages by obtaining a dismissal on personal jurisdiction grounds which was affirmed by the Second Circuit on appeal.
- Prosecuted institutional investors' securities, Blue Sky and related common claims against placement agents, auditors, rating agencies, and corporate insiders in a multidistrict litigation proceeding.
- Defended corporate clients against securities fraud claims brought by the SEC, DOJ, and class plaintiffs.
- Represented an NFL franchise in its attempt to secure a new stadium on Manhattan's West Side.

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Area of Practice

- Bankruptcy
- Cannabis Law
- Creditors' Rights
- Litigation
- Community Association Law

Education

- Wheaton College, B.A., cum laude, 1995
- Brooklyn Law School, J.D., magna cum laude, 2001

Admissions

- New York Bar, 2002
- New Jersey Bar, 2013
- United States District Court for
 - the Southern District of New York
 - the Western District of New York
 - the Eastern District of New York
 - the District of New Jersey
- United States Court of Appeals for
 - the Second Circuit
 - for the Third Circuit

Mr. Bauchner also represents condominium and cooperative boards of management, is a licensed Real Estate Instructor in the State of New York, and teaches a course for Real Estate Sales Professionals.

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He also has taught as an adjunct professor at Brooklyn Law School and was appointed by the Manhattan Borough President to serve on Manhattan Community Board 10 where he was Treasurer of the Board and Co-Chair of the Committee on Land Use. He also served on the Board of Trustees of Wheaton College. He currently serves on the Boards of the [New York Theater Ballet](#), [Frederick Douglass Boulevard Alliance](#), and [Harlem Wellness Center](#).

Immediately prior to joining the Firm, he was Deputy Director of the Legal Division at the New York City Department of Consumer Affairs and previously worked at a national litigation firm.

Mr. Bauchner received his B.A., *cum laude*, from Wheaton College and his J.D., *magna cum laude*, from Brooklyn Law School. Following graduation from law school, Mr. Bauchner served as law clerk to the Honorable Ursula Ungaro in the United States District Court for the Southern District of Florida.

Publications:

- [NJ Arbitration Ruling Puts Burden On Employers](#) (April, 5, 2018)
- [The N.J. Construction Lien Law: A Powerful, Equitable Tool](#), Oct. 3, 2016
- [Brokers Beware: NJ Real Estate License Act has Strict Requirements](#), Feb. 29, 2016
- [The Linear Construct of A Negligence Claim](#), March 23, 2015
- [Let Them Plead in the Alternative](#), September 12, 2014
- [The False Hope of Lost Profits Damages](#), September 27, 2013
- [Fending Off The Appointment of a Receiver](#), July 1, 2013
- [Bankruptcy Trustee's Avoidance Rights Are Nearly Limitless](#), October 22, 2012
- [Spotlight on Section 550 of the Bankruptcy Code](#), July 18, 2012
- [The Forgotten Bank Holding Company Act of 1972](#), June 12, 2012