



Joshua Klein

Partner

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About Joshua

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.

Recent Notable Matters

Global investment bank — obtained complete defense verdict on behalf of client and one of its former registered representatives involving claims of fraud in the sale and valuation of complex structured products*

Global investment bank — obtained complete defense verdict on behalf of client involving claims of unauthorized and unsuitable trading activity*

Global investment bank — obtained summary judgment on behalf of client involving claims of breach of contract and fraud in connection with an alleged finder's fee agreement*

Registered representative — successfully represented client in connection with FINRA investigation involving allegations of unsuitable trading activity*

Registered representative — successfully advocated for the expungement of erroneous disclosures contained in the broker's CRD and Forms U4 and U5 following a FINRA arbitration hearing*

Global investment bank — successfully represented client in connection with affirmative claim for breach of contract arising out of the failure of its former client to pay a multi-million dollar investment banking fee*

Global investment bank — successfully represented client in multiple litigations against residential mortgage loan originators for early payment default and breach of representations and warranty claims, obtaining judgments totaling more than \$40 million*

* Work completed prior to Bracewell

Education

Brooklyn Law School, J.D.
2001

Yeshiva University, Bachelor of Arts
1997 – *cum laude*

Noteworthy

Thomson Reuters, *New York Metro Super Lawyer*, 2012 - 2023

Thomson Reuters, *New York Metro Super Lawyer*, Rising Stars, 2011

Bar Admissions

New York