



Joshua Goldstein

PRINCIPAL

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Josh Goldstein is an accomplished litigator trusted by clients to handle their most complex, high-stakes, and high-profile matters. Clients describe Josh as a creative and strategic problem-solver and pragmatic advisor, and they appreciate his deep commitment to understanding and pursuing their unique goals. Josh has helped win a wide range of cases—through dispositive motion practice, at trial, and on appeal—and has obtained favorable settlements to resolve litigation or avoid it altogether.

Josh maintains a diverse practice. He advises and represents clients in complicated commercial disputes, multi-billion-dollar insurance and tort claims, and appellate matters involving novel legal issues, in state and federal courts across the country.

Earlier in his career, Josh had the privilege of working on *Obergefell v. Hodges*, the landmark U.S. Supreme Court case establishing same-sex couples' constitutional right to marry. He later helped spearhead an appeal in which the Court, in a 6-3 vote, overturned a state supreme court decision that would have denied same-sex married couples equal treatment under the law.

Prior to law school, Josh worked on Capitol Hill as a legislative assistant to Senator Edward E. (Ted) Kaufman responsible for financial reform and equity market structure issues.

Focus Areas

Litigation and Investigations

Business and Financial Litigation

Representative Engagements

- Defended pharmaceutical manufacturer in historic nationwide multidistrict litigation involving thousands of federal cases and related state court matters across the country. Prior to nationwide resolution, coordinated MDL trial strategy and led defense of several active state court matters involving multi-billion-dollar claims, including work on appeal that ultimately resulted in state supreme court's dismissal of majority of plaintiffs.
- Represented insurers in \$1.2 billion coverage dispute against Amtrak, achieving dismissal of excess insurers and affirmance before Second Circuit Court of Appeals.
- Helped win favorable verdict for portfolio company of global private equity firm in breach of contract trial in Massachusetts Business Litigation Session.
- Represented petitioners in landmark U.S. Supreme Court case establishing the constitutional right of same-sex couples to marry (*Obergefell v. Hodges*), and in successful challenge to a State's denial of same-sex spouses' equal right to be listed on their children's birth certificates (*Pavan v. Smith*).
- Represented major utility company in obtaining dismissal of consumer class action alleging antitrust violations and in affirmance by First Circuit Court of Appeals.
- Co-Authored argument adopted by Massachusetts Supreme Judicial Court in question of first

impression concerning interpretation of Massachusetts Constitution and state legislature's rules and procedures.

- Advised and represented insurer in connection with appellate matters, including appeal involving record damages award and novel legal questions.
- Investigated integrity of independent public authority's selection of major land development proposal, culminating in entity's decision to reject previously-selected bid and cancel request for proposals.

Publications and Presentations

- "One of One: Justice Gants and lessons from the Keo Case," author, *62 Boston College Law Review* 2827 (2021)

Professional & Community Involvement

- Josh is a passionate advocate for neurodivergent and disabled individuals. He has represented disabled individuals in pursuing legal claims, is the former co-chair of the Newton Public School Special Education Parent Advisory Council (SEPAC), and remains active in promoting neurodiversity-informed practices and policies in schools and society writ large.
- As a teaching fellow with the Marshall-Brennan Constitutional Literacy Project, Josh taught a year-long course on constitutional law to high school students in New Haven. He has also served as a Discovering Justice attorney mentor and led a class on the First Amendment for middle- and high school students at Camp Harbor View in Boston.

Education & Credentials

- Yale Law School, JD (2013); Senior Editor, *Yale Journal on Regulation*
- Cornell University, BA (2009) *magna cum laude*

Admissions

- Massachusetts
- District of Massachusetts

Clerkships

- Chief Justice Ralph D. Gants of the Massachusetts Supreme Judicial Court