



Joshua Sandler, PARTNER

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A Partner at LPHS, Josh is consistently recognized as one of the best trial lawyers in Texas. Josh was one of only one hundred attorneys in the State of Texas identified by *Texas Super Lawyers* as a Top 100 Up-and-Coming Texas Rising Star. For numerous years, *D Magazine* has named him one of the Best Lawyers in Dallas. And *Benchmark Litigation* placed Josh on their Hot List, an exclusive designation of the most promising talent in litigation communities in the U.S. and Canada that is given to attorneys who have earned praise from clients and peers regarding the quality of their work.

Josh is an experienced trial lawyer who represents businesses and high net worth individuals in a wide range of disputes involving probate, trust, estate, and fiduciary litigation; commercial litigation, including commercial real estate litigation; and business and employment disputes in the state and federal courts of Texas and the Southwest.

Josh consistently obtains outstanding results for clients by employing courtroom excellence, creative problem solving, and outstanding client service.

Innovative and strategic, Josh has been involved in all aspects of litigation and has successfully tried jury and bench trials, arbitrations, appeals, and temporary restraining orders and injunctions. He has represented plaintiffs and defendants in cases involving:

- Probate, trust, estate, and fiduciary litigation
- Commercial real estate litigation
- Trade secret litigation and breach of non-competition agreements
- Breach of contract and other aspects of commercial litigation
- Breach of fiduciary duty, fraud, tortious interference, business disparagement, defamation, and Anti-SLAPP
- Shareholder and partnership disputes
- Employment discrimination, wage and hour disputes, retaliation claims, wrongful discharge, negligent hiring, and other employment litigation
- Deceptive trade practices
- Breach of warranties and other commercial litigation
- Energy, oil, and gas litigation
- Personal injury defense, negligence, and premises liability

EVIDENCE

Owner and Chief Doctor, Prominent North Texas Medical Practice: "I would highly recommend Josh Sandler. My entire business and professional life was on the line when I hired Josh in a lawsuit involving allegations of misappropriation of trade secrets and violations of a covenant not to compete. Josh represented us with a high degree of professional excellence. Not only did he regularly counsel us about litigation strategy, he turned the ship around and put us in an offensive, winning footing. His sincerity and competence was always present. Josh is prepared, focus, personable, and obtains great results."

Executive Vice President, Fortune 500 Energy Company: "Despite the toughness of the case and the numerous parties involved, Josh obtained a fantastic result. He is a superb litigation strategist, outstanding advocate, and was respected by the judge. I was very impressed by his ability to quickly understand a complex subject matter and present it in a simple and persuasive manner. Josh is an excellent value for the nature of the work, passionate, and dedicated to resolving the problem at hand."

Former Co-Owner, Startup Company: "Josh understands the client. He has the ability to place himself in his client's shoes and help them deal with the conflicting emotions so they can stay the course."

REPRESENTATIVE MATTERS

Trial Litigation

- Obtained a \$12.5 million verdict in a week-long trial in a breach of contract and breach of implied duty of good faith and fair dealing case against the world's second largest wind turbine manufacturer
- Obtained a \$1 million verdict in a two-week federal jury trial against a school district for the abuse and mistreatment of a disabled, non-verbal student
- Jury trial verdict on behalf of a celebrity accused of breaching a multi-million dollar contract
- Trial verdict for a large cell phone recycling company against a former employee who breached her contract
- Resolution of bet-the-company-litigation for one of the world's largest wind turbine suppliers
- Permanent injunction and judgment on behalf of one of the largest direct selling companies in the world in a case involving trademark infringement and unfair competition
- Resolution of multi-million dollar litigation involving the largest energy provider in Texas
- Judgment for a local healthcare facility and its principals accused of breach of fiduciary duty, fraud, and breach of contract
- Resolution for one of the largest privately held companies in the United States in a multi-million dollar dispute involving breach of fiduciary duty and tortious interference
- Dismissal from a multi-million dollar arbitration in a matter pertaining to the securing of Department of Defense contracts and which involved allegations of breach of contract, conspiracy, and fraud
- Summary judgment for a popular pizza franchise in a multi-million dollar fraud and breach of contract case
- Dismissal of a lawsuit filed by the City of Dallas against a fifth-generation Dallas business in a highly publicized and politically-charged case involving allegations of environmental abuse
- Dismissal in a multi-million dollar lawsuit for large local dental group in breach of contract and breach of fiduciary duty matter
- Dismissal of a multi-million dollar lawsuit for a family business in complex business lawsuit involving allegations of fraudulent transfers and fraud
- Dismissal of a lawsuit for large, worldwide cosmetics company in a breach of contract and employment discrimination case
- Secured a finding of contempt in federal court for a large, worldwide cosmetics company against a company who violated settlement agreement and who infringed on trademarks
- Secured a finding of contempt in state court for a large, national executive employee search firm against a company who violated a confidentiality agreement and covenant not to compete
- Defense of an injunction suit on behalf of an historic Dallas business whose certificate of occupancy was unlawfully revoked; the restoration of the certificate of occupancy resulted in the creation of hundreds of local jobs
- Secured a temporary injunction on behalf of a large multi-state development company
- Secured a temporary injunction on behalf of a national healthcare company against former business partners
- Dismissal of a lawsuit for a multinational box and recycled paper manufacturing company in case involving allegations of fraud and tortious interference
- Dismissal of a lawsuit for large company who owns, operates and manages apartment complexes in case involving allegations of negligence
- Summary judgment on behalf of a law firm accused of conspiracy and malicious prosecution
- Resolution of an employment discrimination matter for local teacher
- Resolution of a case involving a popular reality television show and allegations of fraud
- Resolution of a matter involving a Dallas regulatory compliance company in a case involving allegations of breach of contract and covenant not to compete and for violation of trade secrets

REPRESENTATIVE MATTERS

Appellate Litigation

- *Stanton v. Gloersen*, 05-16-00214-CV, 2016 WL 7166550 (Tex. App.—Dallas Nov. 30, 2016, no pet.)
- *Transfirst Holdings, Inc., et al. v. Magliarditi and DII Investments, Inc.*, No. 13-10436 (5th Cir. 2013)
- *In re Family Dollar Stores of Texas, LLC*, No. 09-11-00432-CV (Tex. App.—Beaumont Nov. 3, 2011, orig. proceeding) (mand. conditionally granted)
- *Lewis v. Family Dollar, Inc.*, No. 01-10-00472-CV, 2011 WL 346290 (Tex. App.—Houston [1st Dist.] Feb. 3, 2011) (affirmed)

HONORS & AWARDS

- D Magazine Best Lawyers in Dallas, 2019-2022
- Texas Super Lawyers, 2020-2021
- Texas Super Lawyers "Rising Star," 2013-2019
 - "Top 100 Up-and-Coming Texas Rising Star," 2017-2019
- Benchmark Litigation 40 & Under Hot List (2018)
- Lynn Pinker Hurst & Schwegmann, LLP recognized as one of the Top 2 firms, Texas Commercial Litigation, Chambers 2017-2021
- Lynn Pinker Hurst & Schwegmann, LLP recognized as being in the Top 10 Litigation Boutiques in America, Benchmark Litigation 2017
- Chairman, Dallas Bar Association Continuing Legal Education Committee (former)
- Chairman, Dallas Bar Association Law in the Schools & Community Committee (former)
- President, Homeowner's Association (former)
- Chairman, Dallas Association of Young Lawyers Judicial Intern Committee (former)
- President, Sunnyvale Education Foundation (former)
- Elected to the Dallas Association of Young Lawyers Leadership Class
- Member, Dallas Bar Association Judiciary Committee
- Member, Dallas Bar Association Bench Bar Committee
- Volunteer, Lawyers in the Classroom program for Dallas ISD secondary social studies classes and the legal community
- National Champion, National Entertainment Law Moot Court
- Best Petitioner Brief, National Entertainment Law Moot Court
- Second Best Advocate, National Entertainment Law Moot Court
- First Place, Locke Liddell & Sapp Negotiation Competition
- Regional Championship, National Mock Trial Competition

EDUCATION

- SMU Dedman School of Law, J.D.
- University of Texas at Austin, B.A.

PROFESSIONAL & COMMUNITY INVOLVEMENT

- The Real Estate Council
- Texas Bar College
- Fellow, Texas Bar Foundation
- Fellow, DAYL Foundation
- Member, William "Mac" Taylor American Inn of Court
- State Bar of Texas
- American Bar Association

PROFESSIONAL & COMMUNITY INVOLVEMENT

- Dallas Bar Association
- Dallas Human Resource Management Association

PUBLICATIONS

- *A Small Business Lifeline: What Every Texas Business Needs to Know (Now)* (Apr. 1, 2020)
- *Let the Force Majeure be With You* (Mar. 13, 2020)
- *The Trouble with Joint Representations* (Aug. 27, 2018)
- *Texas Litigators' Guide to Departing Employee Cases* (contributing author 2015 -)
- *Businesses, Beware the Anti-SLAPP* (Oct. 21, 2015)
- *Opening the Door to Admissibility: The Rule of Optional Completeness* (Feb. 25, 2015)
- *Catering to the Law: Striking the Balance Between Adequate Protection for the Catering and Events Professional and Flexibility for the Client* (Dec. 12, 2014)
- *Be a Rule Follower: Noncompliance with Rule 47 Could Prohibit a Party from Conducting Discovery* (Dec. 10, 2014)
- *Bullying in the Workplace: Legal and Business Implications* (Feb. 19, 2014)

SPEAKING ENGAGEMENTS

- *Winning Tips for Remote Trials, Hearings, Arbitrations, and Mediations in Complex Commercial Cases* (May 11, 2021)
- *Legal Impracticability and the Coronavirus: Novel Arguments in a Novel Time* (Apr. 29, 2020)
- *Primer: Nuts and Bolts of LLCs and Partnerships*, 28th Annual LLCs, LPs, and Partnerships, University of Texas Law CLE (Jul. 17, 2019)
- *Litigation Insight for Non-Litigators* (Mar. 20, 2019)
- *Legal and Contract Issues Affecting those in Business*, Dallas CPA Society (Jan. 8, 2019)
- *Anti-SLAPP in 2019: New Topics to Watch for the New Year* (Jan. 8, 2019)
- *Litigation Tips and Strategies for Transactional, Business, and Corporate Attorneys* (Dec. 4, 2018)
- *Contract Drafting Seminar from the Litigator's Perspective* (Oct. 5, 2018)
- *Temporary Restraining Orders and Temporary Injunctions*, National Employment Lawyers Association (Jun. 13, 2018)
- *The Southern Injunction: Temporary Injunctive Relief in the State of Texas* (Dec. 1, 2017)
- *41st Annual Page Keeton Civil Litigation Conference* (Nov. 2, 2017)
- *Case Terminator: Motions for Summary Judgment* (Jan. 26, 2017)
- *Anti-SLAPP Update* (Jan. 20, 2017)
- *Discovery Boot Camp* (Dec. 9, 2016)
- *Advanced Civil Trial Course: Business Disparagement and Other Remedies* (Oct. 28, 2016)
- *Social Media and the Cloud* (Sept. 30, 2016)
- *Motions for Summary Judgment* (Aug. 25, 2016)
- *How to Succeed in a Summer Associate Position* (Mar. 23, 2016)
- *Business Disparagement and Other Social Media Remedies* (Feb. 9, 2016)
- *Legal Issues Affecting Those in the Catering and Events Industry*, National Association for Catering and Events (Oct. 7, 2015)
- *Anti-SLAPP Under Texas Law* (June 19, 2015)
- *Negative Social Media: Business Remedies and Statutory Exemptions* (Mar. 4, 2015)
- *Advantageous, Yet Overlooked Rules Under the Texas Rules of Civil Procedure and Texas Rules of Evidence* (Jan. 29, 2015)

ADMISSIONS

- State Bar of Texas
- United States District Courts for the Northern, Eastern, Southern, and Western Districts of Texas
- United States Court of Appeals for the Fifth Circuit