

JOSHUA SMITH, ESQ.

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Legal/Professional Experience

SMITH LLC, Pittsburgh, Pennsylvania.

Solo Practice, October 2008 – Present

General litigation practice in both federal and state court. Recent highlights include:

- Represented a formerly *pro se* litigant in an appeal to the United States Court of Appeals for the Third Circuit of a District Court's unlawful punitive dismissal of the litigant's case for "failure to prosecute." The Court of Appeals vacated the dismissal and remanded the case, concluding in its opinion that the District Court had abused its discretion.
- Successfully represented a victim of domestic violence *pro bono* in obtaining Emergency, Temporary, and Final Protection from Abuse ("PFA") Orders against her ex-boyfriend (and father of her child).

COMPUTER FELLOWS, INC., Pittsburgh, Pennsylvania.

Manager of Office & Legal Affairs, November 2004 – September 2009

Responsible for oversight of all operational matters within the Company. Specific experience included:

- Drafted, administered, and evaluated Company policies and procedures;
- Negotiated contractual agreements with vendors and clients; and
- Acted on behalf of the Company in all matters of legal concern, including the design and implementation of measures and strategies focused on the prevention of adverse litigation.

SULLIVAN & CROMWELL LLP, New York, New York.

Litigation Associate, September 2003 – October 2004

Summer Associate, Summer 2002

Engaged in a broad-based litigation practice representing clients in criminal, securities, and regulatory matters.

Specific experience included:

- Represented a high-profile client in a parallel civil action/regulatory/grand jury investigation. Conducted research and drafted pleadings and memoranda, drafted and responded to substantial numbers of discovery requests, reviewed, produced, and logged large volumes of documents under demanding time constraints, and prepared witnesses for depositions and trial.
- Represented a financial services corporation in a securities fraud investigation relating to its multibillion dollar merger with one of the world's largest insurance companies. Drafted chronologies and letters and produced documents in response to requests from several federal and self-regulatory agencies.
- Represented the parents of an autistic child *pro bono* in an appeal to the United States Court of Appeals for the Second Circuit. Managed all aspects of the case, including the supervision of a team of three summer associates. Worked closely with the client to obtain all necessary factual and background information, read and analyzed an 8,000 page record to determine the issues viable for appeal, drafted several motions (all of which were successful), represented the client at pre-argument and settlement conferences, and drafted the settlement agreement. The case resulted in a highly favorable settlement for the client.
- In an actual innocence case, successfully represented a client wrongfully convicted of murder. He was released from prison after spending fifteen years in a maximum security facility. Conducted extensive factual investigation and legal research, and drafted large sections of the motion for relief, which was ultimately unopposed by the District Attorney's Office.

AMERICAN ENTERPRISE INSTITUTE, Washington, D.C.

Intern to J. Gregory Sidak, January 2003 – May 2003

Research activities focused on topics in constitutional law, antitrust, and law and economics.

UNIVERSITY OF PITTSBURGH SCHOOL OF LAW, Pittsburgh, Pennsylvania.

Research Assistant to Professor Thomas Ross, Summer 2001

Research activities focused on topics relating to legal ethics and the legal profession.

Academic Background

CORNELL LAW SCHOOL, Ithaca, New York.

J.D., *cum laude*, 2003

Awards and Achievements:

- Editor, *Cornell Law Review*
- Winner of the American Bar Association's 2002 William S. Greenhalgh Fourth Amendment Essay Competition (for "Toward the Manufacturing of Privacy: Forcing Big Brother to Play the Fool and Other Proposals for Fourth Amendment Change in Cyberspace")
- Winner (Best Oralist), 2003 Winter Cup Moot Court Competition
- Three-time consecutive winner of the Kaiser Award for Best Brief (2002 Winter Cup Moot Court Competition, 2002 Cuccia Cup Moot Court Competition, 2003 Winter Cup Moot Court Competition)
- Semi-finalist, 2002 Cuccia Cup Moot Court Competition
- Octo-finalist, 2003 Jerome Prince Memorial Evidence Competition
- Member, Moot Court Board
- CALI Award (for highest score in class), Law and Mental Health
- CALI Award, Administrative Law
- Dean's List

UNIVERSITY OF PITTSBURGH SCHOOL OF LAW, Pittsburgh, Pennsylvania.

September 2000 – May 2001

Awards and Achievements:

- Completed first year at top 5% of class
- CALI Award, Legal Analysis and Writing
- CALI Award, Legal Process (first-semester Civil Procedure)
- Offered membership on the *University of Pittsburgh Law Review*

UNIVERSITY OF PITTSBURGH, Pittsburgh, Pennsylvania.

B.A., *summa cum laude*, 1999

Awards and Achievements:

- University Scholar Award (Graduated within top 2% of class)
- Recipient of the Chancellor's Undergraduate Teaching Fellowship

Publications

Note, *The Craziest Reform of Them All: A Critical Analysis of the Constitutional Implications of "Abolishing" the Insanity Defense*, 87 CORNELL L. REV. 1509 (2002).

Bar Admissions

Pennsylvania

United States Court of Appeals for the Third Circuit

United States District Court for the Western District of Pennsylvania

United States District Court for the Eastern District of Pennsylvania

Professional Associations

Member, American Bar Association

Member, Pennsylvania Bar Association

Member, Allegheny County Bar Association

Member, Bar Association of the Third Federal Circuit