

# CARTER SCHOLER

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Joshua J. Bennett | Partner

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Joshua J. Bennett is a partner at Carter Scholer. Josh has represented both individuals and businesses in high-stakes litigation. Josh's significant litigation experience covers all phases of litigation, including appeal. In his practice, Josh focuses on prosecuting and defending claims of civil rights violations, trademark infringement, patent infringement, theft of trade secrets, premises liability, breach of contract and various business torts, breach of fiduciary duty, deceptive trade practices, Dram Shop violations, and RICO violations.

Josh has successfully litigated cases in federal and state courts throughout Texas, and in California, Alabama, Utah, Ohio, and other states. Josh has also represented clients in appeals before the United States Circuit Court of Appeals for the Fifth and Federal Circuits, and in various Texas state trial and intermediate appellate courts. Josh's success has led to his being recognized as a Texas Rising Star, as published in Thompson Reuters, for each year since 2014. Josh was also recently named as one of the Best Lawyers in Dallas by D Magazine.

Prior to practicing with Carter Scholer, Josh clerked for the Honorable Sim Lake in the U.S. District Court for the Southern District of Texas. Josh assisted the judge in deciding over 40 cases, including several Title VII and § 1983 actions, by conducting legal research and drafting opinions, and in conducting several bench and jury trials.

## **Honors and Distinctions:**

- Selected for inclusion in Thomson Reuters' *Super Lawyers*® *Rising Stars* (Texas), 2014-2017
- Selected for inclusion in D Magazine's Best Lawyers in Dallas, 2016

## **Professional Associations and Community Involvement:**

- Dallas Bar Foundation Lifetime Fellow
- State Bar of Texas
- Judge Patrick E. Higginbotham Inn of Court, Associate
- Dallas Bar Association
- Teach for America, Alumnus, June 2002-Present

### **Published Works and Speaking Engagements:**

- “Everything You Needed to Know About the Amendments to the Federal Rules (in about an Hour),” State Bar of Texas, Asian Pacific Interest Section, April 2016
- “Jurisdictional Traps for the Unwary,” State Bar of Texas, Advanced Intellectual Property Law Course, March 2015
- “Legislative Immunity & Privilege,” State Bar of Texas, Suing and Defending Governmental Entities Course, July 2013
- “The CFAA Has Been 'Hacked': Historic and Current Trends in Employer-Employee Litigation under the CFAA,” State Bar of Texas Annual Meeting, Intellectual Property Section, June 2013
- “The Ins and Outs of Federal Jurisdiction,” Dallas Bar Association, 2012
- “*Town of Castle Rock v. Gonzales* and the Awful Truth: Utah’s Mandatory Enforcement Laws Make Police Enforcement of a Victim’s Protective Order Optional”, 8 J. LAW & FAM. STUD. 405 (2006)
- “Using Utah’s Children As Collateral In A Gamble For State’s Rights: Why House Bill 1001 Is Fundamentally Flawed,” 8 J. LAW & FAM. STUD. 225 (2005)

### **Education:**

- University of Utah S.J. Quinney College of Law, 2007, Salt Lake City, Utah  
Juris Doctor, Order of the Coif, High Honors
- University of Utah, 2002, Salt Lake City, Utah  
Bachelor of Arts, History

### **Languages:**

- Portuguese
- Spanish (conversant)

### **Admissions:**

- Texas, 2007
- U.S. Supreme Court, 2014
- U.S. Court of Appeals for the Federal Circuit, 2013
- U.S. Court of Appeals for the Fifth Circuit, 2010
- U.S. District Court for the Eastern District of Texas, 2010
- U.S. District Court for the Northern District of Texas, 2009
- U.S. District Court for the Southern District of Texas, 2009
- U.S. District Court for the Western District of Texas, 2010
- U.S. Bankruptcy Court for the Eastern District of Texas, 2010
- U.S. Bankruptcy Court for the Northern District of Texas, 2010
- U.S. Bankruptcy Court for the Southern District of Texas, 2010
- U.S. Bankruptcy Court for the Western District of Texas, 2010

**Practice Areas:**

- Civil Rights Litigation
- Business Litigation
- Complex Tort Litigation
- Employment Litigation
- Intellectual Property Litigation
- Media & First Amendment Litigation
- Trade Secrets, Restrictive Covenants & Unfair Competition