

Jackson Walker



Joshua A. Romero

Partner, Austin

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Practice Areas

- Trial & Appellate Litigation

Experience

- Appellate
- Arbitration
- Blockchain & Digital Assets
- Business Litigation
- Digital
- Entertainment Litigation
- Entertainment, Digital, & Sports
- Media

Biography

Josh is a trial lawyer. He began his career with a judicial clerkship at the Texas Supreme Court and the U.S. Court of Appeals for the Fifth Circuit.

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and First Amendment litigation. Josh has successfully tried cases to juries ranging from multimillion-dollar corporate disputes and fraud cases to commercial construction cases. In prior years, he assisted his clients in obtaining the largest settlement in Texas, and the fourth-largest settlement in the United States, as featured in the *The National Law Journal*.

Josh has received the highest rating, AV Preeminent, from Martindale-Hubbell Peer Review Ratings. He has been recognized by *Chambers USA: America's Leading Lawyers for Business* and featured in *The Best Lawyers in America* publication. *Lawdragon* has also named Josh as one of the "500 Leading Litigators in America." In addition, Josh has been named "Texas' Top Rated Lawyers" by ALM Legal Publishing and recognized as a "Super Lawyer" by Thomson Reuters. Josh has also consistently been named a "Top Attorney" in Austin by *Austin Monthly Magazine*. He was appointed to the Texas Supreme Court Rules Committee by the State Bar of Texas to advise the Court on the rules governing trial practice and the Texas Rules of Civil Procedure. While he is honored by these awards and recognitions, the results he has obtained for his clients, as set forth below, are far more important.

As a member of the firm's appellate section, clients have entrusted Josh to handle appeals in a wide spectrum of cases, including complex commercial disputes, contract disputes, class actions, and business torts. He has presented oral argument numerous times at the U.S. Court of Appeals for the Fifth Circuit. Over the past decade, Josh has handled appeals in the U.S. Supreme Court, the U.S. Court of Appeals for the Fifth Circuit, the U.S. Court of Appeals for the Fourth Circuit, the Texas Supreme Court, and appellate courts across Texas.

Education

B.S., *cum laude*, Stephen F. Austin
State University

J.D., *cum laude*, Northwestern
Pritzker School of Law

Bar Admissions

Texas

Court Admissions

United States Court of Appeals for the Fourth and Fifth Circuits

United States District Court for the Northern, Southern, Eastern and Western

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Litigation

- \$23,550,000.00 recovery against hospital in *qui tam*/False Claims Act case in federal court.
- \$9,500,000.00 recovery for corporate client in bad-faith insurance claim in federal court.
- \$9,354,892.00 jury verdict and final judgment (no appeal) in complex financial fraud case.
- \$8,000,000.00 recovery for three physician clients in complex litigation with hospital in federal court.
- \$6,500,000.00 recovery obtained against a national armored vehicle company. This recovery was many times more than the defendant's pre-trial offer and was obtained on day five of a seven-day jury trial in Houston.
- \$1,100,000.00 recovery for corporate client in breach-of-contract case in arbitration.
- Obtained confidential seven-figure settlement on behalf of client in securities fraud case.
- Secured confidential six-figure settlement for corporate client in data breach case against computer security firm.
- Obtained dismissal of Fortune 50 company from federal lawsuit involving development of a large data center, which was upheld on appeal at the Fifth Circuit.
- Obtained complete dismissal of *qui tam*/False Claims Act case for corporate client in federal court.
- Won complete defense verdict for corporate client in high-stakes Deceptive Trade Practices Act case in arbitration.
- Obtained dismissal of all claims against corporate client in wrongful termination suit in federal court.
- Obtained dismissal of numerous lawsuits under the Anti-SLAPP statute and obtained awards of attorneys' fees and sanctions in clients' favor.
- Obtained complete dismissal of claims against the renowned photographer behind Nirvana's iconic "Nevermind" album cover that accused the defendants of commercializing child pornography.

Appellate

- *Rockett Special Utility Dist. v. Alamo Mission*. 858 F. App'x 160

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- App.—Austin July 23, 2020, pet. denied) (obtained complete reversal and render of adverse jury verdict).
- *Chavez v. Plan Benefit Services, Inc.*, 957 F.3d 542 (5th Cir. 2020) (obtained reversal of certification of nationwide class action).
 - *Title Source, Inc v. HouseCanary, Inc.*, 2019 Tex. App. LEXIS 5768 (Tex. App.—San Antonio July 10, 2019, no pet. h.) (obtained sealed records for media client, the Reporters Committee for Freedom of the Press).
 - *Warner Bros. Entm't, Inc. v. Jones*, 538 S.W.3d 781 (Tex. App.—Austin 2017, pet. granted) (obtained dismissal of claims against Warner Bros. and TMZ under Anti-SLAPP law).
 - *United States ex rel. Parikh, M.D. v. Citizens Med. Ctr.*, 2014 WL 4854217 (5th Cir. Oct. 1, 2014) (obtained affirmance of district court's denial of defendants' motion to dismiss in *qui tam*/False Claim Act litigation).
 - *Westminster Falcon/Trinity, LLP v. Shin*, 2012 WL 5231851 (Tex. App.—Amarillo Oct. 23, 2012) (obtained reversal of verdict against client in construction dispute and obtained take-nothing judgment in favor of defendant-client).
 - *Citizens Med. Ctr. v. Gaalla*, 460 F. App'x. 469 (5th Cir. Feb. 16, 2012) (obtained affirmance on interlocutory appeal of denial of defendants' motions for summary judgment based on governmental immunity).
 - *Util. Comm'n of Tex. v. Constellation Energy Commodities Group, Inc.*, 351 S.W.3d 588 (Tex. App.—Austin 2011, pet. denied) (obtained reversal of PUC ruling against client).
 - *Las Palmas Med. Ctr. v. Moore*, 349 S.W.3d 57 (Tex. App.—El Paso 2010, pet. denied) (appellate court affirmed seven figure arbitration award for hospital client).
 - *New Wave Dist. Co. v. LSKR, Inc.*, 2007 WL 178465 (Tex. App.—Austin Jan. 24, 2007) (obtained expedited reversal of temporary injunction imposing restrictions on corporate client's business).

Recognition & Accolades

- *Chambers USA: America's Leading Lawyers for Business*
 - Up and Coming in Litigation: General Commercial – Texas: Austin & Surrounds, 2021-2023

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2022-2023

- “Austin’s Top Attorneys” List – Commercial Litigation, *Austin Monthly Magazine*, 2019-2023
- *Lawdragon* 500 Leading Litigators in America, 2023-2024
- “Texas’ Top Rated Lawyers,” *ALM*, 2014-2022
- Texas Bar Foundation Fellow, 2018
- Texas Rising Star, *Super Lawyers – Rising Stars* by Thomson Reuters, 2013-2019
- AV Preeminent, Martindale-Hubbell
- 2015 Big Money Wins – Top 50 Settlements of 2015, *The National Law Journal*, 2015

Community Involvement

- State Bar of Texas Court Rules Committee
- Hispanic Bar Association of Austin
 - Board of Directors–President, 2024; Vice President and President-Elect, 2023
- American Bar Association
- Texas Bar Association
- Austin Bar Association
- Austin Young Lawyers Association
- Texas Bar College
- Northwestern University
 - Alumni Club of Austin, Past President
 - Young Wigmore Club
 - School of Law, Volunteer Admissions Interviewer
- Open Door Preschools, Board Member

In the News

- “Lawsuit against Austin photographer of Nirvana’s ‘Nevermind’ album dismissed,” Fox 7 Austin (September 2022)
- “Austin lawyers with Jackson Walker win Nirvana ‘Nevermind’ album cover lawsuit,” Austin Business Journal (September 2022)
- “Judge dismisses lawsuit over Nirvana’s ‘Nevermind’ cover,” Austin American-Statesman (September 2022)
- “‘Nirvana Baby,’ All Grown Up, Waited Too Long To Sue,” Law360 (September 2022)

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