

Josh Myers

Senior Associate

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Josh focuses his practice on employment counseling and litigation, business and commercial litigation, and regulatory matters before the Federal Communications Commission (FCC).

In his employment practice, Josh advises and defends large and small clients concerning claims of discrimination, wage-and-hour disputes, wrongful termination, and retaliation. He also has experience drafting employment policies and handbooks. As part of his business and commercial litigation practice, Josh primarily practices in the area of insurance coverage defense. Further, he assists clients with navigating administrative investigations before the FCC and drafts public comments for FCC rulemakings. Utilizing the knowledge gained from his federal clerkships, Josh routinely drafts motions and briefs in both state and federal courts and at the trial and appellate levels.

A fierce advocate of pro bono, Josh has experience advising arts organizations, particularly nonprofit entities, about their corporate governance and employment policies and practices.

Experience

The following is a selected sampling of matters and is provided for informational purposes only. Past success does not indicate the likelihood of success in any future matter.

Representative Cases

- *Nides v. DVC Indus., Inc.*, 334 A. 3d 1134 (D.C. 2025) (tester standing under the D.C. Consumer Protection Procedures Act)

Previous Professional Experience

- Associate, Nelson Mullins Riley & Scarborough LLP (2019–2021)
- Reference Library Assistant, Arthur J. Morris Library, University Virginia School of Law (2017–2018)
- Summer Associate, Nelson Mullins Riley & Scarborough LLP

Education

University of Virginia School of Law, JD (2018)

James Madison University, BA, Political Science, BM, Cello Performance, magna cum laude (2015)

- American Collegiate Moot Court National Qualifier
- Presidential Fellow with the Center for the Presidency and Congress
- Outstanding Student in Political Science

Admissions

District of Columbia

Maryland

South Carolina

U.S. District Court for the District of Columbia

U.S. District Court for the District of South Carolina

U.S. District Court for the District of Maryland

U.S. Court of Appeals for the Fourth Circuit

U.S. Court of Appeals for the Eleventh Circuit

(2017)

- Law Clerk, U.S. Attorney's Office for the District of South Carolina (2016)

Educational Activities

- University of Virginia School of Law
 - Social Chair, Black Law Students Association
 - Alumni Coordinator & Development Editor, *Virginia Law and Business Review*
 - Alumni & Career Support Chair, Program in Law and Public Service
 - Prosecution Clinic

Recognitions

The bar rules of some states require that the standards for an attorney's inclusion in certain public accolades or recognitions be provided. When such accolades or recognitions are listed, a hyperlink is provided that leads to a description of the respective selection methodology.

- Washington Area Lawyers for the Arts, G. Hamilton Loeb Award for Pro Bono Excellence (2020)

Professional Activities

- South Carolina Bar Association, Employment and Labor Law Section

Community

- The South Carolina Governor's School for the Arts Alumni Council, Chair
- Washington Area Lawyers for the Arts, Board Member

Articles & Speeches

Insights

[U.S. CARES Act: How to Avoid Liability from COVID-19 Fraud](#), ACC Docket- Co-Author (May 3, 2021)

The Confusion of McDonnell Douglas: A Path Forward for Reverse Discrimination Claims, 44 Seattle U. L. Rev. 1065 - Author (2021)

Untangling Causation Under the Americans with Disabilities Act: Is it But-For Causation or the Motivating Factor Standard?, 38 Rev. Litig. 95 - Author (2018)

Alerts

[The 1 to 1 Consent Rule Is No More](#), FCC Download (January 29, 2025)

U.S. Supreme Court

Clerkships

Judicial Law Clerk , The Honorable Henry F. Floyd , U.S. Court of Appeals for the Fourth Circuit (2021 - 2022)

Judicial Law Clerk , The Honorable J. Michelle Childs , U.S. District Court for the District of South Carolina (2018 - 2019)

Practice Areas

[Commercial Litigation & Business Torts](#)

[Employment & Labor](#)

[Appellate Practice & Legal Strategies](#)

[Litigation](#)

[White Collar Defense & Government Investigations](#)

Industries

[Insurance](#)

[Life Sciences, Pharmaceuticals & Medical Devices](#)

[Technology and Commercial Transactions](#)

[The FCC's "Prior Express Written Consent" Rule is Changing This Month: What Marketers Need to Know](#), FCC Download (January 9, 2025)

Blogs

[Majority Groups May Soon See Easier Path in Discrimination Cases](#), The HR Minute - Author (February 25, 2025)
[The Fourth Circuit Disavows Generalized, Overinclusive, and Overly Broad Classes and Class Definitions](#), The HR Minute - Co-Author (January 16, 2025)
[EEOC Issues Final Rule Implementing the Pregnant Workers Fairness Act](#), The HR Minute - Co-Author (May 14, 2024)