



## Joshua S. Bauchner

Partner

✉ [jbauchner@mblawfirm.com](mailto:jbauchner@mblawfirm.com)

☎ 646-369-0250

---

### Overview

Joshua S. Bauchner serves as the chair of the Cannabis, Hemp and Psychedelics Practice Group and is a partner in the Litigation, Bankruptcy, Landlord/Tenant, Construction, and Employment practice groups. He brings a depth of experience and dedication to his practice, where he is involved in complex commercial and securities litigations, class actions, and bankruptcy-related issues. His areas of specialization include:

- Enforcement of commercial contracts such as lease agreements, guaranties, purchase and sale contracts, and commission agreements.
- Litigation of partnership disputes.
- Class action prosecution and defense.
- Claims originating from insurance coverage denials.
- Employment litigation including FLSA, ADA, ADEA, Title VII, and analogous state law claims.
- Defense against commercial landlord/tenant and foreclosure actions.

His extensive experience is also evident in representative matters, ranging from construction and design defect claims to defending corporate clients against securities fraud claims presented by the SEC and DOJ to litigating adversary proceedings in bankruptcy. He also successfully handled numerous appeals in state and federal court.

In the ever-evolving area of psychoactive substances, Josh was instrumental in co-hosting the

inaugural Cannabis Symposium in New Jersey, attracting nearly a thousand attendees, with subsequent symposia continuing to garner attention. As a notable member of the New Jersey State Bar Association Cannabis Law Committee, the NORML Legal Committee, and the Amicus Committee, he received the New Jersey Law Journal's Innovator of the Year Award.\*

After graduating from law school, Josh had the honor of clerking for the Honorable Ursula Ungaro at the United States District Court for the Southern District of Florida. He also served as the Deputy Director of the Legal Division at the New York City Department of Consumer Affairs.

A passion for education and community development, as a licensed real estate instructor in New York, he educates aspiring real estate professionals, and he has served as an adjunct professor at Brooklyn Law School. Josh also is deeply involved in his community. He was appointed by the Manhattan Borough President to Manhattan Community Board 10, where he served as the Board's treasurer and co-chaired the Committee on Land Use. Additionally, he played an active role on the Board of Trustees for Wheaton College, the New York Theater Ballet, Frederick Douglass Boulevard Alliance, and the Harlem Wellness Center.

He is admitted to practice in both New York and New Jersey as well as the United States District Court of Michigan, the United States District Courts for the Southern, Eastern and Western Districts of New York, the United States District Court for the District of New Jersey as well as the United States Court of Appeals for the Second and Third Circuits.

In addition to his professional endeavors, Joshua's thoughts and perspectives have been featured in numerous publications, shedding light on diverse areas such as cannabis laws, creditors' rights in bankruptcy, and the intricacies of negligence claims.



\*No aspect of this advertisement has been approved by the Supreme Court of New Jersey or the American Bar Association. A description of the standard or methodology used by the New Jersey Law Journal, can be found [here](#).

## Awards

New Jersey Law Journal's Innovator of the Year Award

## Publications

["OpEd: AN ATTACK ON NEW YORK'S SMALL BUSINESSES" Empire Report \(August 6, 2024\)](#)

["Beyond the Charge: New York's Guide to Credit Card Surcharge Compliance" NYC Hospitality Alliance \(August 1, 2024\)](#)

["Navigating Local Hurdles: Challenges Facing Cannabis Applicants in New Jersey" New Jersey Law Journal \(July 16, 2024\)](#)

["How Will the Federal Reclassification of Marijuana Affect New Jersey's Cannabis Industry?" \*New Jersey Law Journal\* \(June 12, 2024\)](#)

["Appellate Court Rejects Preemption Challenge to NJ's Cannabis Law" \*NJBIZ\* \(May 20, 2024\)](#)

["Marijuana Reclassification Could Clear Hurdles for NJ Businesses" \*NJBIZ\* \(May 6, 2024\)](#)

["Cannabis Reclassification on the way say DEA insiders \(leaks\) – The proposal, still needs to be reviewed by the White House Office of Management and Budget" \*Cannabis Law Report\* \(May 6, 2024\)](#)

["Karma Koala Podcast 146: DUI Blood Testing, NY & NJ Admin & Leg Updates, Local Govt Corruption & More" \*Cannabis Law Report\* \(May 1, 2024\)](#)

["NY Judge's Cannabis Ruling Opens Doors for More Challenges" \*Bloomberg Law\* \(April 9, 2024\)](#)

["The Latest in the Fight Against NJM" \*New Jersey Automotive\* \(April 9, 2024\)](#)

["Peddling Fiction: Update on Putative Class Action Against NJM" \*Thomas Greco Publishing Inc.\* \(March 14, 2024\)](#)

["NJ's Driving-High Laws Under debate" \*NJ Spotlight News\* \(March 6, 2024\)](#)

["Hemp Companies sue New York over industry rules, "selective" enforcement" \*Green Market Report\* \(March 4, 2024\)](#)

["Lawsuit Accuses NY Pot Regulators of Shuttering Big Part of Hemp Industry "Overnight"" \*Law.com\* \(March 4, 2024\)](#)

["Bill would force drivers to provide blood sample if suspected of driving high" \*New Jersey Monitor\* \(February 29, 2024\)](#)

["New NY Statute Restricts Access to Employee Social Media; Imposes Notice Requirements" \*New York Law Journal\* \(February 23, 2024\)](#)

["Karma Koala Podcast 122: Joshua S. Bauchner Head of Cannabis & Psychedelics Mandelbaum Barrett – DUI – NJ – New Jersey v. Olenowski" \*Cannabis Law Report\* \(February 7, 2024\)](#)

["Attorney Helps Cannabis Clients Steer Way Through A Legal Maze" \*Primerus\* \(January 30, 2024\)](#)

["NJ Supreme Court Lowers the Reliability of "DRE" Protocol, Harming Minorities" \*Law.com\* \(January 24, 2024\)](#)

["New Jersey Cases To Watch In 2024" \*Law360\* \(January 1, 2024\)](#)

["Growth Industry: Law Firms Got into Cannabis Legalization Game Early, But Are Still Working Hard to Keep Up With Sector" \*ROI – NJ\* \(December 1, 2023\)](#)

["SCOTUS Confronted with Racist and Discriminatory History of Cannabis Criminalization" \(October 16, 2020\)](#)

["Managing Medical Marijuana in the Workplace," \*GreenEntrepreneur\* \(April 3, 2019\)](#)

["Staying Ahead of New Cannabis Laws," \*IndustryWeek\* \(March 28, 2019\)](#)

["New Jersey's Cannabis Industry Is Growing: Where Does It Grow from Here?" \*High Times Magazine\*](#)

["Creditors Rights in Bankruptcy: How to Keep from Losing Your Shirt," \*Retail Info Systems\* \(Feb. 20, 2019\)](#)

["NJ Arbitration Ruling Puts Burden On Employers" \(April, 5, 2018\)](#)

["The NJ Construction Lien Law: A Powerful, Equitable Tool," \*New Jersey Law Journal\* \(Oct. 3, 2016\)](#)

["Brokers Beware: NJ Real Estate License Act has Strict Requirements," \*New Jersey Law Journal\* \(Feb. 29, 2016\)](#)

["The Linear Construct of A Negligence Claim," \*New Jersey Law Journal\* \(March 23, 2015\)](#)

["Let Them Plead in the Alternative," \*New York Law Journal\* \(Sept. 12, 2014\)](#)

["The False Hope of Lost Profits Damages," \*New York Law Journal\* \(Sept. 27, 2013\)](#)

["Fending Off The Appointment of a Receiver," \*New Jersey Law Journal\* \(July 1, 2013\)](#)

["Bankruptcy Trustee's Avoidance Rights Are Nearly Limitless," \*Law360\* \(Oct. 22, 2012\)](#)

["Spotlight on Section 550 of the Bankruptcy Code," \*Law360\* \(July 18, 2012\)](#)

["The Forgotten Bank Holding Company Act of 1972," \*Law360\* \(June 12, 2012\)](#)

## **Areas of Practice**

[Cannabis, Hemp & Psychedelics\(Chair\)](#)

[Bankruptcy & Creditors Rights](#)

[Construction](#)

[Hospitality Services](#)

[Labor and Employment](#)

[Landlord-Tenant](#)

[Litigation](#)

## Admission

- New York Bar
- New Jersey Bar
- United States District Court for the Eastern District of Michigan
- United States District Court for the Southern District of New York
- United States District Court for the Eastern District of New York
- United States District Court for the Western District of New York
- United States District Court for the District of New Jersey
- United States Court of Appeals for the Second Circuit
- United States Court of Appeals for the Third Circuit

## Education

Brooklyn Law School, J.D., *magna cum laude*, 2001

Wheaton College, B.A., *cum laude*, 1995

## Speaking Engagements

Primerus 2024 Northeast Regional Meeting – “Cannabis Licensing 101”