

Joshua D. Shaw

Partner

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PRACTICES

Construction Law
Professional Liability
Products Liability
Insurance Law
Civil Litigation

EDUCATION

University of South Carolina
School of Law
(magna cum laude), 2008
University of South Carolina
Honors College
(magna cum laude), 2005

BAR & COURT ADMISSIONS

South Carolina State Bar, 2008
United States District
Court, District of South
Carolina, 2009
Fourth Circuit Court
of Appeals, 2011

Josh is a litigator and certified circuit court mediator with a statewide practice, devoting the majority of his litigation practice to the construction industry. He frequently represents construction industry representing contractors, developers, design professionals, and construction product manufacturers in complicated disputes and litigation. Josh has handled multiple class actions in state and federal court and has successfully defeated class certification. Josh also has extensive experience representing insurance carriers directly, both advising on coverage issues and bringing and defending coverage litigation. Outside the construction context, Josh has defended a wide variety of professional liability matters, including representing attorneys who served as class counsel in underlying class actions.

Committed to his profession and his community, Josh regularly volunteers his time to a variety of causes and initiatives. Josh has served as pro-bono special prosecutor for the South Carolina Attorney General's office, and he has served on the SC Bar's Judicial Qualifications Committee for most of his legal career. He is the president of his church's governing board and has volunteered for a variety of SC Bar initiatives, including organizing donation drives for domestic violence shelters.

When not practicing law or volunteering in the community, Josh spends time with his wife and three children. He devotes a lot of time to attending youth soccer, t-ball, basketball, and ballet. He has recently tried his hand at coaching youth soccer, which afforded a different perspective on the "art of persuasion" and has given him a lot of respect for the various coaches and mentors he has had throughout the years. The experience has also reaffirmed to Josh that regardless of the challenge, maintaining a good attitude and hard work create a foundation for success.

HONORS

South Carolina Super Lawyers® Rising Star category, Class Action, 2015 – 2017

The Center for Computer-Assisted Legal Instruction (CALI) Award, Civil Procedure I, 2006

Order of the Barristers, Appellate Advocacy, 2006

AV Preeminent® peer review rating from Martindale-Hubbell.

Columbia Business Monthly, Legal Elite in the construction practice group, 2018

PROFESSIONAL AND CIVIC INVOLVEMENT

- Certified Circuit Court Mediator in South Carolina
- SC Bar Construction Law Section Council (Council Member, 2020-present)
- South Carolina Bar (Judicial Qualifications Committee, 2009-Present)
- DRI Toxic Torts and Environmental Law Section (2015-16 Membership Chair, 2013 Annual Meeting Chair)
- South Carolina Defense Trial Attorneys' Association (Member, 2009-Present)
- Defense Research Institute (Member, 2009-Present)

PUBLICATIONS:

- "Supreme Court Limits Access to Federal Courts for Claims Originating Overseas in *Kiobel v. Royal Dutch Petroleum Co.*," *DRI Today Commentary* (April 19, 2013)
- "The Supreme Court Considers Class Certification Requirements in Private Securities Fraud Case *Erica P. John Fund v. Halliburton*," *DRI Today Commentary* (June 7, 2011)
- "A Fresh Look at the Economic-Loss Rule in the Post-Crossman Era," *South Carolina Lawyers Weekly*, Vol. 10, No. 26 (Feb. 2011)
- "The Effect of Release on Vicarious Liability," *Professional Liability Defense Quarterly*, Vol. 2, No. 3 (Summer 2010)
- "Recent Developments with the 'Risk of Harm' Exception to the Economic-Loss Rule," *Construct!* Vol. 19, No. 1 (Spring 2010)
- "Civil Liability and Economic Development," *Business and Economic Review*, Vol. 55, No. 3 (April-May-June 2009)
- "Limited Joint and Several Liability under Section 15-38-15: Application of the Rule and the Special Problem Posed by Nonparty Fault," *South Carolina Law Review*, Vol. 58 (April 2007)

PRESENTATIONS:

- "*Professional and General Liability Insurance for Engineers*," Engineering Law, HalfMoon Education, December 18, 2019
- "*Ethics for Construction Attorneys*," Construction Defect Litigation From A to Z, NBI Seminar, May 20, 2016
- "*Toxic Tort and Environmental Law Session*," DRI Annual Meeting, October 25, 2012
- "*Round Table Discussion: Legislative Update*," 2010 Benedict College Transportation Summit, March 25, 2010