



Josh Roth

he/him/his
Associate

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Josh is a driven attorney with a unique combination of legal experience, military service, and a commitment to client advocacy.

Before pursuing his legal career, Josh served as a sergeant in the U.S. Army where he held the position of Special Agent, Army Criminal Investigation Division. In that role, he investigated a broad range of matters including procurement fraud, crimes against children, and homicide. At Winston, Josh has applied his skills to False Claims Act litigation, civil and criminal antitrust matters, and various Department of Justice investigations. He has experience preparing expert witnesses for trial and drafting legal memoranda in a broad range of practice areas, including government investigations; bankruptcy; discovery disputes; and commercial litigation. A prolific writer, he has published several law review articles and has prepared client advisories about ongoing CFTC, FinCEN, and SEC enforcement actions. Josh maintains a robust pro bono practice focused on criminal defense, veterans' benefits, and immigration law. In that practice, he has filed appeals before the Second Circuit and worked directly with incarcerated clients.

Josh has also gained invaluable experience through his legal internships and fellowships. At the U.S. Department of Homeland Security, he drafted legal memoranda and appellate briefs regarding matters of national security, fraud, and counterterrorism. At the Center for Appellate Litigation (CAL), he drafted appellate briefs for indigent criminal defendants, re-investigated cases referred by New York's Conviction Integrity Unit, and prepared parole files and clemency applications. He continues working with CAL as part of his pro bono practice.

Along with his professional accomplishments, Josh is passionate about education and advocacy. As a legal writing instructor for the Cornell Prison Education Program, he built curriculum and taught written and oral advocacy to incarcerated students at Cayuga Correctional Facility. He also advocated for and advised clients in Title IX proceedings, including matters of sexual violence, harassment, and protected-status discrimination as lead counselor for the Cornell Office of the Complainants' Codes Counselor.

Recognitions

U.S. ARMY CRIMINAL INVESTIGATION DIVISION

- Letter of Recognition from Chief of Police David Ewing, Russellville, AR Police Department for conduct in a joint child-rape investigation. See *United States v. Hill*, 2023 CCA LEXIS 80 (A. Ct. Crim. App., Feb. 13, 2023).
- U.S. Army Commendation Medal presented for meritorious conduct as the lead agent in the investigation resulting in the longest sentence thus far for a conviction under Article 117(a), U.C.M.J. See *United States v. Brown*, __ M.J. __ (3d Jud. Dist., April 8, 2022).
- U.S. Army Commendation Medal presented for meritorious conduct as a forensic science technician in a high-profile criminal investigation with international media attention. See *United States v. Aguilar*, No. W-20-CR-097-ADA, 2021 U.S. Dist. LEXIS 59220 (W.D. Tex., March 29, 2021).

U.S. EUROPEAN COMMAND

- U.S. Army Commendation Medal presented for meritorious conduct as a communications aid for the Commander of NATO forces
 - U.S. Army Achievement Medal presented for meritorious conduct as a responder of the Personnel Reliability Program (Nuclear Operations)
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Credentials

EDUCATION

Josh earned his J.D. with a concentration in advocacy from Cornell Law School in 2024, where he was a Law, Ethics, and National Security Scholar and Pro Bono Scholar, and received the Robert Cantwell '56 Prize (First Place) for Exemplary Student Research, John J. Kelly '47 Memorial Prize, and CALI Award for Cornell's Criminal Defense Trial Practicum. He also served as Articles Editor and Symposium Chair for the *Cornell Law Review*. As Vice President of the Cornell Law Veterans Association, he successfully secured a \$150,000 grant to develop the Cornell Veterans Law Practicum.

Josh received his B.S. from the University of Maryland Global Campus in 2018.

ADMISSIONS

- New York

Related Insights & News

PUBLICATIONS

- “Key Compliance Strategies: NY Department of Financial Services’ Guidance on AI and Cybersecurity Threats,” Investigations, Enforcement, & Compliance Alerts, Co-author, Oct. 22, 2024
- “A New Compliance Era: Key Updates to the DOJ’s Evaluation of Corporate Compliance Programs (ECCP),” Investigations, Enforcement, & Compliance Alerts, Co-author, Sept. 26, 2024
- “Dismantling the Due Process Dichotomy in Crimmigration Cases,” *56 Cornell Int’l L.J.*, Co-author, 2025 (forthcoming)
- “No Escape: How the Library of Congress Weaponized Internal Relocation Against Persecuted Sikhs & How to Fight Back,” *31 Berkeley Asian Am. L.J.* 83, Author, 2024
- “The Illusion of Investigatory Questioning: Why New York Must Toss *Huffman*’s Unconstitutional Interrogation Standard,” *272 N.Y. L.J.* 6, Co-author, 2024
- “The Bounds of *Bond v. United States*: International Treaties and Military Prosecution of Bacteriological Murder,” *56 Cornell Int’l L.J. F.* 3, Author, 2024
- “Neurosearches,” *109 Cornell L. Rev.* 997, Author, 2024
- “The Leadership Limitation on Persecutors and Terrorist Organizations,” *108 Cornell L. Rev. Online* 60, Author, 2023
- “Drawing Lines: Geofence Warrants and the Third-Party Doctrine,” *4 Int’l Cybersecurity L. Rev.* 213, Author, 2023
- “Rules for Thee but Not for Me: The Irony of Tier III Terrorist Organizations,” *28-1 Bender’s Immigr. Bull.* 01, Author, 2023

MEDIA MENTIONS

- “Student Veterans Help Launch Veterans Law Practicum,” *Cornell Chronicle*, May 23, 2023

SPEAKING ENGAGEMENTS

- “Intersections of the Constitutional Right to Privacy and Emerging Technologies,” Cornell University, Information Ethics, Law, & Policy, Guest Lecturer, 2023

BLOG

President Trump’s Proclamation on Steel Tariffs

FEBRUARY 19, 2025

NEWS

Trump Administration Confirmation Hearings: U.S. Trade Representative Jamieson Greer

FEBRUARY 12, 2025

BLOG

Understanding and Addressing Increased FCA Exposure Risks Resulting from DEI-Focused Executive Order

JANUARY 31, 2025

BLOG

Key Compliance Strategies: NY Department of Financial Services’ Guidance on AI and Cybersecurity Threats

OCTOBER 22, 2024

BLOG

A New Compliance Era: Key Updates to the DOJ's Evaluation of Corporate Compliance Programs (ECCP)

SEPTEMBER 26, 2024

Capabilities

Appellate & Critical Motions

Commercial Litigation & Disputes

Government Investigations, Enforcement & Compliance

Privacy & Data Security

Financial Crimes Compliance