



Joshua B. Simmons

Partner



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Josh represents clients in high-stakes international disputes. He has extensive experience in treaty and commercial arbitration proceedings around the world. He has represented foreign sovereigns and international investors across a broad range of industries, including energy, natural resources, technology, and financial services. He also advises companies on national security law, public international law, and transnational litigation in U.S. courts. He teaches international arbitration as an Adjunct Professor at the University of Virginia School of Law, and he is a Fellow of the Chartered Institute of Arbitrators. Prior to joining Wiley, Josh served in the Office of the Legal Adviser at the U.S. Department of State.

Representative Matters

International Arbitration:

- Represents a Guinean-American company in international arbitration against global aluminum companies over bauxite shipping rights.
- Represents a consortium of US producers in international arbitration arising out of anti-dumping measures in a major agricultural industry.
- Represented a fuel cell technology company in parallel arbitrations against an international energy company regarding exclusive licensing rights.
- Represented a leading real estate company in a multi-billion dollar international arbitration over ownership rights in a newly-constructed smart city in South Korea.

Practice Areas

Global Disputes

Litigation

Digital Assets, Cryptocurrencies, and Blockchain

Enforcement of Arbitration Clauses

Digital Trade

Credentials

Education

J.D., University of Virginia School of Law;
Dean's Scholar

B.A., University of North Carolina at Chapel Hill;
Honors and Highest Distinction

Law Journals

Editorial Board, *Virginia Law Review*

Bar and Court Memberships

District of Columbia Bar

New York Bar

- Represented a major oil company in a decade-long arbitration arising out of expropriation, resulting in the second-largest ICSID award to date – over \$8 billion in damages.
- Defended a Middle Eastern government in UNCITRAL arbitration against treaty claims by foreign state-owned banks involving financial regulations and international sanctions.
- Represented a major oil company in ICC arbitration leading to a \$2 billion award of damages for contractual breaches by a state-owned company.
- Represented a major European financial institution seeking damages for treaty violations in ICSID arbitration arising out of government measures during a financial crisis.
- Represented a major oil company in parallel ICC and ICSID arbitrations leading to awards of over \$1 billion in damages arising out of government expropriation.

Litigation:

- Represents a publicly traded technology company in a dispute related to one of the world's largest Bitcoin mining facilities.
- Represents a leading information technology company headquartered in Cyprus in litigation arising from cryptocurrency trading.
- Advised the United States on submissions related to the New York Convention, the Foreign Sovereign Immunities Act, and other international legal issues before federal courts and the U.S. Supreme Court.
- Defended a gaming company in intellectual property litigation before the U.S. International Trade Commission to prevent a bar against the importation of a popular video game system.
- Represented federal prisoners *pro bono* in a class action constitutional challenge to the medical conditions at a private prison operated under contract with the Federal Bureau of Prisons.
- Represented an Iranian national *pro bono* in his successful appeal for deferral of removal under the Convention Against Torture before the Third Circuit.

Professional Experience

- Adjunct Professor, University of Virginia School of Law (2014-Present)
- U.S. Department of State, Office of the Legal Adviser
 - Senior Adviser (2019-2021): Represented the United States in international disputes, including before the International Court of Justice; managed responses to historic congressional inquiries; advised senior officials on treaty negotiations and international law.
 - Attorney-Adviser (2013-2015): Administered claims of U.S. nationals arising out of foreign investments; *Superior Honor Award* for negotiation of a landmark Holocaust compensation agreement.

- Private Law Practice (2007-2013; 2015-2018)

Affiliations

- Chartered Institute of Arbitrators, Fellow
- International Council for Commercial Arbitration, Mentoring Programme Group Advisor
- *Law360* International Arbitration Editorial Advisory Board, Member (2023, 2024)
- American Society of International Law, Member