



JOSHUA J. CAUHORN

Associate

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Joshua ("Josh") J. Cauhorn is an associate at Burke, Warren, MacKay & Serritella, P.C. Josh represents businesses of all sizes with an emphasis on entrepreneurs and mid-market companies. He focuses his practice on litigation but often acts as an outside general counsel, leveraging the firm's deep bench of experienced attorneys to provide on-point counsel for every business legal need. Clients choose Josh because he takes the time to understand and advance their overarching objectives, both for businesses and the individuals who own them, acting as a "one-stop shop" for timely and effective counsel.

Josh represents clients in a diverse array of areas, among them:

- education
- social impact businesses and nonprofits
- commercial and residential real estate brokers and brokerages
- commercial and residential landlords and related real estate activity
- motor vehicle dealers
- business consultants and advisors
- business owners/shareholders
- manufacturing

Josh earned his B.S. in English Education, *magna cum laude*, from Huntington University and his J.D., *magna cum laude*, from the Loyola University Chicago School of Law. In law school, Josh interned with the U.S. Attorneys' Office for the Northern District of Illinois and externed at the U.S. District Court for the Northern District of Illinois. He is a proud former high school English teacher.

PRACTICES & INDUSTRIES

Class Action

Litigation

Real Estate

Real Estate Brokerage

ADMISSIONS

Illinois

U.S. District Court for the Northern District of Illinois

U.S. District Court for the Central District of Illinois

EDUCATION

Huntington University (B.S., English Education, *magna cum laude*, 2009)

Loyola University Chicago School of Law (J.D., *magna cum laude*, 2015)



Experience

Josh strives to be a “one-stop shop” for business counseling and dispute resolution, making his experience broad. It centers on:

- commercial breach of contract and related actions
- real estate disputes
- issues and disputes affecting real estate brokers
- shareholder and member/manager disputes
- raising capital
- issues affecting nonprofits and social enterprise businesses

As to litigation and dispute resolution, Josh takes an aggressive but practical approach, believing that litigation should be a tool to advance business objectives. His dogged and creative advice has proven itself through consistent positive results.

Specific areas of law Josh has litigated include:

- the Uniform Commercial Code;
- the United Nations Convention for the International Sale of Goods;
- the Telephone Consumer Protection Act;
- the California Invasion of Privacy Act;
- the Illinois Real Property Disclosure Act;
- the Illinois Wage Payment and Collection Act;
- the Illinois Consumer Fraud and Deceptive Business Practices Act;
- the Uniform Deceptive Trade Practices Act;
- the Illinois Mechanics Lien Act;
- the Racketeer Influenced and Corrupt Organizations Act;
- Breach of contract (and related causes of action such as promissory estoppel);
- Fraud; and
- Related statutes and torts affecting businesses and nonprofits.
- Representing a commercial tenant in a dispute with a large commercial landlord as member of a litigation team that obtained full relief at trial that was affirmed on appeal.
- Obtaining summary judgment before trial for several real estate brokers who were accused of concealing defects, reducing their liability to zero.
- Securing a positive settlement for an American corporation against a French company for a defective machine, surgically applying a complicated patchwork of domestic and international law.
- Securing a positive outcome for a Chicago-based company in a high stakes Telephone Consumer Protection Act case with millions at stake.



- Representing former real estate agents in a class action Illinois Wage Act and breach of contract suit against their former real estate brokerage, obtaining several positive decisions in matters of first impression under Illinois law.
- Securing a positive outcome against a Fortune 500 energy company on behalf of a locally-owned small business in breach of contract suit.
- Defeating a motion to dismiss for a car dealer against a national car rental business in a suit where the dealer alleged the rental business engaged in abusive and wrongful conduct, securing a positive outcome.
- Representing real estate brokers in recovering against individuals and businesses who wrongfully refuse to pay for their services, having obtained significant recovery before suit and full recovery, with attorneys' fees, after filing suit.
- Representing several businesses in employment discrimination suits brought by former employees, having obtained optimal settlements in alignment with the client's business objectives or obtaining full dismissal at various stages with no liability to the client.
- Successfully pursuing an insurance company on behalf of a mid-size company for a breach of its duty to defend.
- Proudly representing several pro bono clients, trying several jury trials to verdict and having secured full recovery for individuals who otherwise would not have been able to afford an attorney.
- Defending several construction and development companies in mechanics lien foreclosure cases, employing creative means to resolve complicated disputes, saving clients significant liability and legal spend while meeting business objectives.

Honors & Awards

- Josh was a member and 2015 Captain of the Phillip H. Corboy Trial Fellowship at Loyola University Chicago, a top-ranked trial advocacy program. As part of that program, he was:
 - National Champion and National Best Advocate in the 2015 ABA National Criminal Justice Competition
 - National Champion in the 2013 William W. Daniel National Mock Trial Competition
- Josh graduated *magna cum laude* from Loyola University Chicago, obtaining awards for top student (CALI Awards) in
 - Evidence
 - Appellate Advocacy
 - Federal Litigation Practice
 - Advising Not-For-Profit Organizations
- Josh also received the Illinois Judicial Council Scholarship Award in 2013.
- Josh also values contributing to his Chicago community. In 2010, he was head coach of a high school soccer coaching staff that received Coach of the Year of the Chicago Prep Conference.



Professional/Community

- Board of Directors, Chicago Hope Academy
 - Executive Committee
 - Josh taught literature and writing at Chicago Hope Academy, a high school committed to social, economic and academic diversity on Chicago's West Side, from 2009-12 and has stayed involved by serving on its Board of Directors since 2015.
- Member of Mercy Home Associate Board
 - Josh is proud to take part of the Associate Board for Mercy Home for Boys and Girls, which does a remarkable job of providing a residential program and "wrap-around" services for young people in need.
- Former Regional Strategy Team for Illinois Leaders for Educational Equity
 - Josh organized around Senate Bill 1 in 2015 (and its predecessors), a bill that ultimately overhauled the Illinois K-12 Funding System for the better. More on that can be found here: [The Firm's Josh Cauhorn Comments On IL School Funding On Springfield NPR Station.](#)
- Former Instructor and Coach in the Philip H. Corboy Fellowship for Trial Advocacy at Loyola University Chicago
 - Josh stays involved through sparring in mock trials against law students.

Insights

NEWS

Burke Warren Cited In Chicago Tribune Article Regarding a Pro Bono Case Recently Undertaken by the Firm

News, [May 3, 2022](#)

Burke Warren Serves as Pro Bono Counsel in Federal Lawsuit Charging Advocate Health and Hospitals Corporation with Racial Discrimination

News, [April 21, 2022](#)

Burke Warren a Proud Sponsor of Mercy Home for Boys & Girls of Chicago's 2022 Have Mercy! Gala

News, [February 9, 2022](#)

Burke Warren Client Innovare Closes Seed Funding Round

News, [August 19, 2021](#)

Firm's Race Judicata Team

News, [September 20, 2018](#)

Firm Sponsors *Have Mercy!* Event

News, [May 2, 2018](#)



Chicago Coalition for the Homeless
News, [April 28, 2018](#)

Firm's Cauhorn Coaches Team to Mock Trial National Championship
News, [December 8, 2017](#)

Firm's Race Judicata Team
News, [September 18, 2017](#)

Firm Hosts Chicago Bar Association L.E.A.D. Committee Meeting
News, [January 11, 2017](#)

Real Estate Group Hosts 2nd Annual Architecture Tour
News, [August 28, 2016](#)

BWM&S Chicago Lawyers Softball League Champs Once Again!
News, [July 31, 2016](#)

Firm Attorneys At Have Mercy Event
News, [May 2, 2016](#)

The Firm's Josh Cauhorn Comments On IL School Funding On Springfield NPR Station
News, [April 2016](#)

Josh Cauhorn Featured In Chicago Tribune Article On School Funding
News, [April 13, 2016](#)

Firm Welcomes New Associate
News, [October 26, 2015](#)

Firm Runners Participate In Race Judicata
News, [October 1, 2015](#)

ALERTS

Can a Customer Sue Your Business After Contracting COVID-19? – Mitigating Risk In A Pandemic
Alert, [May 7, 2020](#)

What Does A Shelter-In-Place Order Mean for Your Construction Project?
Alert, [March 23, 2020](#)

Will The Skyrocketing Growth of TCPA Litigation Slow?
Alert, [May 22, 2018](#)

Broadening Protections For Transgender Individuals Under Federal And State Law
Alert, [April 2016](#)

International Sales Contracts
Alert, [December 1, 2015](#)



PUBLICATIONS

The Search for the Magic Formula: History of Illinois School Funding Reform
Publication, University of Pennsylvania Journal of Law and Social Change, [2015](#)

Turning Streams Into a River: The Case for Integrating Preschool Into the School Funding Formula
Publication, The Loyola University Chicago Journal of Early Education Law And Policy, [2013](#)