



## Joshua S. Rogers

Partner

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Josh Rogers is the office managing partner of the Morgantown, West Virginia office of Dinsmore & Shohl LLP. Josh is a partner in the firm's Corporate Department whose diverse practice focuses on family wealth planning, asset protection planning, probate, and closely-held business planning. Josh also has experience representing both individual and institutional clients in various types of civil litigation including will contests, will and trust construction actions, family and probate disputes, real property rights, mineral ownership disputes, shareholder and partner disputes, and federal and state taxation appeals. Josh is licensed and represents clients in both West Virginia and Pennsylvania.

Josh is active in the estate planning community as a frequent lecturer at various trust and estate continuing education seminars and is active with the West Virginia State Bar Probate Committee. Josh also conducts the statewide probate training for all fiduciary supervisors and county clerks in the State of West Virginia. Josh is a Fellow in the American College of Trust and Estate Counsel, listed as a "Band 1" practitioner in the Chambers High Net Worth Guide, recognized as a "Super Lawyer" for estate planning and estate and trust litigation, and included in "Best Lawyers" for his work in trust and estates, closely held companies and family business law, and nonprofit/charities law. Josh also frequently teaches nonprofit organizations at the West Virginia University College of Law as an adjunct lecturer.

### Services

- Private Client & Family Wealth Planning
- Corporate & Transactional
- Corporate Taxation
- Litigation

### Education

- West Virginia University College of Law (J.D., 2005)
  - Order of the Coif
  - West Virginia Law Review, Volume 106, executive research editor
  - Thomas N. Chambers Award in Taxation

- West Virginia University (B.S.B.Ad., *summa cum laude*, 2002)
  - University Honors Scholar

## **Bar Admissions**

- West Virginia
- Pennsylvania

## **Court Admissions**

- U.S. Tax Court
- U.S. Court of Appeals for the Fourth Circuit
- U.S. District Court for the Southern District of West Virginia
- U.S. District Court for the Northern District of West Virginia

## **Affiliations/Memberships**

- American College of Trusts and Estates Counsel
  - Fellow
- West Virginia State Bar
- West Virginia State Bar Probate Committee
- Pennsylvania Bar Association
- American Bar Association
- Monongalia County Bar Association
- Monongalia County Literacy Volunteers
  - Board of Directors
  - President
- Leadership Monongalia
- North Central West Virginia Estate Planning Council
  - Board of Directors
  - President
- Leadership West Virginia (Class of 2015)
- Senior Monongalians
  - Board of Directors
  - President

- The Foundation of Monongalia General Hospital
  - Board of Directors
  - Finance Committee Chair
- West Virginia University College of Law
  - Adjunct Lecturer
    - Nonprofit Organizations (Spring 2019, Fall 2020, Fall 2022)
    - Entrepreneurship and Innovation Law Clinic (2012-2018)
- West Virginia University College of Business and Economics, Young Professionals Network
  - Board Member
- Your Community Foundation, Inc.
  - Board of Directors
  - Vice Chair

## Distinctions

- West Virginia *Rising Stars*® (2010, 2013-2020)
- West Virginia *Super Lawyers*® (2021-2022)
  - Estate & Trust Litigation (2021, 2023-2024)
  - Estate Planning (2023-2024)
- Peer Review Rated by *Martindale-Hubbell*
  - AV Preeminent™
- *Chambers High Net Worth Guide*
  - Private Wealth Planning (Band 1)
- *Best Lawyers*®
  - Closely Held Companies and Family Business Law (2020-2025)
  - Nonprofit/Charities Law (2023-2025)
  - Trust and Estates (2023-2025)
  - “Lawyer of the Year” in Morgantown, WV

## Experience

### **Breach of Contract Allegations Relating to Loan/Insurance Agreement**

Successfully represented Huntington National Bank and obtained summary judgment in a federal case involving allegations of breach of contract and statutory fraud. The summary judgment was affirmed by the Fourth Circuit Court of Appeals.

### **Development of Business Succession Plans**

We have represented a number of small, family-owned businesses in drafting and implementing business succession plans. The plans enable the client to undergo efficient leadership and ownership transitions while also protecting the assets and interests of the business. We also have structured numerous partnership agreements as part of the business succession planning process.

### **Development of Urgent Care Business**

Dinsmore & Shohl represented our client, MedExpress, in various commercial transactions totaling several million dollars each in connection with the development of their urgent care business. The client benefited from the use of our firm because of our practical approach and follow-up to assist in resolving problems early on.

### **Mineral Quiet Title Actions and Missing Owner Actions**

We have represented Chesapeake Appalachia, LLC, a large national energy company that specializes in natural gas, in several quiet title and missing owner actions involving title to mineral properties.

### **Probate Assistance**

Mr. Rogers has assisted dozens of fiduciaries with the administration of complex estates and trusts.

### **Quiet Title Action**

We received summary judgment in a quiet title action relating to over 90 acres of oil and natural gas.

### **Quiet Title Action**

We received summary judgment in a quiet title action relating to over 300 acres of mineral properties.

## **Publications**

October 3, 2023

**Probate: West Virginia**

Practical Law Trusts & Estates