

David H. Marion

Senior Counsel

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OVERVIEW

David Marion concentrates his practice on complex business litigation, antitrust and securities class actions, legal malpractice defense, first amendment/communications law and alternate dispute resolution. He acts as both plaintiffs and defense counsel in such litigation.

David has achieved numerous noteworthy court victories, including seven-figure jury verdicts in an unfair competition case against a major broadcast network, and in a vertical price-fixing case; defense of a major public utility in a precedent-setting federal ERISA class action; and victories in the U.S. Supreme Court and numerous state and federal appellate courts. He was appointed by the U.S. District Court as Receiver on motion of the Securities and Exchange Commission in an action involving a Ponzi scheme, and as special master in complex federal multi-district litigations.

RECOGNITION AND INVOLVEMENT

David was elected Chancellor of the Philadelphia Bar Association and is former President of the Philadelphia Lawyers Club. He is the National Chancellor of the Tau Epsilon Rho Law Society. He was elected as a Fellowship in the American College of Trial Lawyers, the International Academy of Trial Lawyers and the American Academy of Appellate Lawyers, and has held leadership positions in a number of non-profit organizations.

David received the James Wilson Award for service to the profession, school and community, the highest honor Penn Law School extends to an alumnus, and was the recipient of the Judge Learned Hand Award from the American Jewish Committee. He has been listed in Chambers USA as a leading lawyer in commercial litigation since the honor's inception in 2003 and is described as a "very highly regarded trial attorney." Since 2004, in surveys of his peers, David has been selected as a Pennsylvania "Super Lawyer." He is uniquely listed by *Best Lawyers in America*® in six categories of law practice: Appellate Practice, Bet-the-Company Litigation, Commercial Litigation, First Amendment Law, Legal Malpractice Law, and Media Law. David was recognized by *Best Lawyers* as the

PRACTICES

Appellate
Class Actions
Commercial Litigation
Professional Liability

BAR AND COURT ADMISSIONS

Pennsylvania

EDUCATION

University of Pennsylvania Law School, JD,
magna cum laude

University of Pennsylvania, Wharton School,
BS in Economics

MEMBERSHIPS

Anti-Defamation League, Board of Directors
Congregation Beth Shalom, Board of Directors
Federation of Jewish Agencies, Board of Directors
Philadelphia Bar Association
Rotary Club of Philadelphia
University of Pennsylvania Law Alumni Society

2019 Legal Malpractice Law "Lawyer of the Year" in Philadelphia. He was also named one of *The Philadelphia Inquirer's* "Influencers of Law" for Litigation and Dispute Resolution. David is currently serving as General Counsel to Encore Series Inc./the Philly Pops Orchestra.

REPRESENTATIVE MATTERS

Serving as Special Master appointed by EDPA Judge Cynthia Rufe in the Generic Pharmaceuticals Price-Fixing Antitrust Cases

Serving as Court Appointed Receiver on motion of the U.S Securities and Exchange Commission in a Ponzi Scheme case where 92% of the victims' principal losses has been refunded to them to date

Successfully argued in the United States Supreme Court in a case establishing plaintiffs' burden to prove falsity in First Amendment libel cases

Successful appeals before the Pennsylvania Supreme Court, including a case liberalizing grant of summary judgment for defendants

Successfully achieved affirmance by the Second Circuit United States Court of Appeals of the grant of summary judgment against a group of New York City craft labor unions

Successfully represented a client before the Third Circuit United States Court of Appeals in a precedent-setting ERISA case

Secured the affirmance of a seven-figure unfair competition verdict before the Third Circuit United States Court of Appeals

Secured a seven-figure jury verdict before the United States District Court of the Eastern District of Pennsylvania against a munitions manufacturing company

IN THE NEWS

Best Lawyers® Recognizes 45 White and Williams Lawyers
Firm News, 8.18.23

White and Williams recognized with Multiple Honorees in the Chambers 2023 USA Guide
6.9.23

Best Lawyers® Recognizes 40 White And Williams Lawyers
Firm News, 8.18.22

Congratulations 2022 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
7.13.22

Chambers USA 2022 Ranks White and Williams as a Leading Law Firm
6.1.22

White and Williams Lawyers Recognized as Super Lawyers and Rising Stars
11.1.21

125th
ANNIVERSARY

White and
Williams LLP

David H. Marion

Best Lawyers® Recognizes 38 White and Williams Lawyers
8.19.21

Chambers USA 2021 Ranks White and Williams as a Leading Law Firm
5.20.21

Congratulations 2020 DE, MA, NY and PA Super Lawyers and Rising Stars
11.5.20

Best Lawyers® Recognizes 43 White and Williams Lawyers
8.20.20

Chambers USA 2020 Ranks White and Williams as a Leading Law Firm
4.23.20

Congratulations 2019 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
10.17.19

Best Lawyers® Recognizes 29 White and Williams Lawyers
8.15.19

Chambers USA 2019 Ranks White and Williams as a Leading Law Firm
4.26.19

Congratulations 2018 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
10.18.18

David Marion Recognized by *Best Lawyers* as "Lawyer of the Year"
8.15.18

Best Lawyers Recognizes Twenty White and Williams Lawyers
8.15.18

David Marion Named an Influencer of Law by *The Philadelphia Inquirer*
7.2.18

Chambers USA 2018 Ranks White and Williams as a Leading Law Firm
5.10.18

Congratulations 2017 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
11.11.17

David Marion Receives James Wilson Award from Penn Law
10.27.17

David Marion Honored with Penn Law's 2017 James Wilson Award
9.14.17



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White and
Williams LLP

David H. Marion

Best Lawyers Recognizes Fifteen White and Williams Lawyers
8.15.17

Chambers USA 2017 Ranks White and Williams as a Leading Law Firm
5.26.17

David Marion Presents Cardozo Memorial Award to Supreme Court Justice Stephen Breyer
2.23.17

Prominent Trial Attorney David Marion Joins White and Williams
9.6.16

PUBLICATIONS

White and Williams Team Persuades the PA Supreme Court to Recognize Claim for Aiding and Abetting Fraud
Litigation Alert, 2.10.23