DAVID J. WALTON, AIGP, CIPP/US

Partner

Philadelphia

610.230.6105

610.230.2151

Service Focus

- **AI, Data, and Analytics**
- **Consumer Privacy Team**
- **Employee Defection and Trade Secrets**
- **Litigation and Trials**
- **Privacy and Cyber**
- **eDiscovery and Digital Workplace**

Industry Focus

- **Sports**
- **Tech**

OVERVIEW

David Walton is a partner in the firm's Philadelphia office and Chair of the firm's Artificial Intelligence Team, advising clients and formulating strategy for addressing the rapidly evolving challenges presented by the emerging role of AI in the workplace.

Dave's work with AI is a natural outgrowth of his many years working at the intersection of technology and law. Since the 1990s, Dave has focused his practice on trade secrets, restrictive covenants and employment litigation, but with a particular emphasis on using legal innovation and evolving technologies to help

achieve clients' desired outcomes and enhance the delivery of services. He brings deep experience in labor and employment law, trade secrets, electronic discovery, privacy, data security and computer forensics to clients' issues. A creative thinker and savvy negotiator, Dave devises cost-effective and pragmatic approaches to mitigate clients' risks and achieve business goals.

His trial work, especially in the area of trade secrets, has been nationally recognized. Professor Adam Grant of the Wharton School of the University of Pennsylvania focused on one of Dave's notable trials in his best-selling book, *Give and Take*. Dave has litigated numerous trade secret and restrictive covenant matters, as well as employment discrimination cases, ERISA disputes, and executive employment contract cases. In traditional labor matters, Dave has secured mass-picketing injunctions and successfully negotiated collective bargaining agreements. He has extensive experience handling large trade secret and mass employee mobility cases that involve 50+ depositions and multi-week trials. In one case, he secured what is believed to be the largest jury award ever for a claim under the Pennsylvania Uniform Trade Secrets Act. Dave regularly handles cases involving these sophisticated issues across a variety of industries, and against some of the largest and most well-known law firms in the country.

A Certified Information Privacy Professional (CIPP/US) and AI Governance Professional (AIGP), Dave frequently writes and speaks on legal technology, digital forensics, cyber law, e-discovery and employment litigation. He also recently obtained a Certification in Data Analytics from the Wharton School of the University of Pennsylvania.

Dave's pioneering work at the forefront of artificial intelligence and employment law has positioned him as a trusted voice for both media and policymakers navigating this rapidly evolving landscape. His commentary on workplace AI issues has been featured in premier outlets including CNN, *The New York Times*, *The Philadelphia Inquirer*, *Bloomberg Law*, *Law360*, and *HR Dive*. Most notably, Dave provided testimony to the US House Committee on Education and the Workforce, delivering a compelling message to federal lawmakers about the need for balanced AI regulation—cautioning against overreach while advocating for proactive employer governance in this transformative technological era.

Recent Experience

Trade Secrets/Restrictive Covenants

- Won a record $7 million jury award based on a 3-week jury trial, representing the largest ever for a claim under the Pennsylvania Uniform Trade Secrets Act.

- Successfully defended a large real estate company in a 6-week jury trial involving claims based on hiring a manager from a competitor, resulting in a 7-figure attorney fee award against the plaintiff.

- Secured a TRO for a publicly traded insurance company against three former top executives. Resolved case based on entry of a stipulated injunction that contained significant post-employment restrictions against the former executives.

- Worked closely with the Federal Bureau of Investigations and the Department of Justice to secure a 33-month federal prison sentence for a former employee of client after he hacked into the client's CRM system and used the database while working for a competitor. Sued competitor and secured a 7-figure settlement.

- Won preliminary injunctive relief for Pennsylvania-based client in the wellness industry that faced efforts by MGM Resorts International and Life Time Fitness, Inc. to develop a competing business in Las Vegas. Achieved favorable settlement.

- Successfully represented an international packaging solutions company in a case centering on allegation that the client had hired a senior employee in violation of a non-compete agreement. Received voluntary dismissal of 7-figure lawsuit.

Employment Litigation

- Secured a favorable settlement, including plaintiff's agreement to resign from employment with client in a highly contentious matter for claims brought under the FMLA and the New Jersey Law Against Discrimination.

- Successfully negotiated resolution to an investigation by the Pennsylvania State Department of Revenue and the Internal Revenue Service centering on alleged misclassification of employees by our client, a large distributor of organic foods.

- Used technology-assisted review to mine a 2-million-page data dump, produced two weeks before depositions began in a high-stakes trade secrets case. Located critical evidence and received 7-figure settlement at deposition.

- Won summary judgment for a large, Fortune 500 client in an ERISA claim involving anti-cutback rules. Saved client more than $50 million in potential liabilities.

- Won summary judgment and defeated plaintiffs' Rule 56(d) motion in a case where two former employees whose employment was terminated as part of a reduction in force brought multiple claims against client under 42 U.S.C. § 1981.

- Won special injunction for large client engaged in manufacturing and distributing of computer networking components. Worked closely with computer forensic experts to determine new employee used evidenceeliminator.com to wipe information from a key computer. Defendants agreed to a favorable settlement for client.

Credentials

Education

- University of Richmond School of Law, J.D., 1995

- Ithaca College, B.S.Ed., 1991

Bar Admissions

- New Jersey

- Pennsylvania

- Virginia

Court Admissions

- U.S. District Court for the Eastern District of Pennsylvania

INSIGHTS

Event	May 7, 2026

Covering All Bases: Hot Topics in Labor & Employment Law

Event	Mar 10, 2026

FP AI Forum: A Behind-the-Scenes Look at the Recent Congressional AI Hearing

Insights	Mar 3, 2026

How Employers Can Manage Risk When Using AI for Employee Performance Management

Insights	Feb 25, 2026

AI Can Help with Employee Engagement and Retention – But What Are the Risks and Best Practices?

News	Feb 23, 2026

Fisher Phillips Selected as a "Top Firm" in JD Supra's 2026 Readers' Choice Awards

News	Feb 23, 2026

Republished Insight: Why You Need to Care About AI Bias and How a Bias Audit Can Help You Avoid Danger