



CHRISTOPHER J. MERKEN

Associate

Philadelphia / New York

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Service Focus

- Counseling and Advice
- Employee Defection and Trade Secrets
- Employment Discrimination and Harassment
- Litigation and Trials
- Workplace Investigations

Industry Focus

- Financial Services
- Higher Education
- Life Sciences and Pharma
- Manufacturing
- Tech

OVERVIEW

An associate in Fisher Phillips' Philadelphia and New York offices, Christopher Merken is an experienced litigator who represents businesses in employment and workplace-related disputes. With deep experience across all stages of litigation, he has counseled and defended companies in high-stakes employment matters in federal and state courts, including claims involving breach of contract, breach of fiduciary duty, misappropriation of trade secrets, and alleged violations of the Fair Labor Standards Act, Americans with Disabilities Act, the Trafficking Victims Protection Act, the Family and Medical Leave Act, the New York State and New York City Human Rights Law, the Pennsylvania Human Relations Act, and the Philadelphia

Fair Practices Ordinance. Christopher has also defended employers and executives in employment-related investigations and litigation brought by the U.S. Department of Labor and the New York Attorney General.

In 2024, Christopher served as trial counsel in the U.S. District Court for the Southern District of New York securing a complete victory in a breach of contract action resulting in a \$108 million judgment. He also served as trial counsel in the Delaware Court of Chancery securing a rare victory in a corporate director dispute.

Beyond litigation, Christopher advises clients navigating internal investigations and government enforcement actions. His experience includes defending a staffing company and its CEO in simultaneous employment litigation and regulatory investigations, conducting internal investigations of alleged misconduct, and counseling senior employees in federal investigations involving cryptocurrency.

Christopher clerked for the Honorable Jane R. Roth of the U.S. Court of Appeals for the Third Circuit and the Honorable Madeline H. Haikala of the U.S. District Court for the Northern District of Alabama. He also externed for the Honorable Mark A. Kearney of the U.S. District Court for the Eastern District of Pennsylvania. He has published widely on evidence and civil rights issues, with his work cited by the Iowa Supreme Court and considered by the U.S. Advisory Committee on Evidence Rules.

He maintains an active *pro bono* practice, including recent trial and appellate work in a successful constitutional challenge to Miami's City Council maps on behalf of local residents and advocacy groups.

Credentials

Education

- Temple University, Beasley School of Law, LL.M. in Trial Advocacy, *with honors*, 2022
- Villanova University School of Law, J.D., *cum laude*, 2020
- University of Delaware, B.A., *cum laude*, 2017

Bar Admissions

- Pennsylvania
- New York
- District of Columbia

Court Admissions

- U.S. Supreme Court
 - U.S. Court of Appeals for the First Circuit
 - U.S. Court of Appeals for the Second Circuit
 - U.S. Court of Appeals for the Third Circuit
 - U.S. Court of Appeals for the Fourth Circuit
 - U.S. Court of Appeals for the Fifth Circuit
 - U.S. Court of Appeals for the Sixth Circuit
 - U.S. Court of Appeals for the Seventh Circuit
 - U.S. Court of Appeals for the Eighth Circuit
 - U.S. Court of Appeals for the Ninth Circuit
 - U.S. Court of Appeals for the Tenth Circuit
 - U.S. Court of Appeals for the Eleventh Circuit
 - U.S. Court of Appeals for the District of Columbia Circuit
 - U.S. District Court for the Eastern District of Pennsylvania
 - U.S. District Court for the Middle District of Pennsylvania
 - U.S. District Court for the Western District of Pennsylvania
 - U.S. District Court for the District of Colorado
 - U.S. District Court for the District of Columbia
 - U.S. District Court for the Southern District of New York
 - U.S. District Court for the Eastern District of New York
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Recognitions

- Selected to *Super Lawyers' Rising Stars: 2024 – 2026* for Business Litigation
- Legal Lions of the Week, *Law360* (June 6, 2025)

- High Honors, 2024 Capital Pro Bono Honor Roll (April 2025)
 - Innovation in Diversity Award, *Profiles in Diversity Journal* (2024)
 - Litigator of the Week Shout Out, *Litigation Daily* (November 11, 2022)
 - Anne Bowen Poulin Award for Pro Bono Service, Villanova Law Alumni Association (2020)
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Affiliations

Professional Activities

- Villanova Law J. Willard O'Brien American Inn of Court (Associate)

INSIGHTS

Insights

Jan 7, 2026

Pennsylvania Supreme Court Holds No Reasonable Expectation of Privacy in Internet Search Activity: Key Takeaways for Employers