

## David H. Marion

Retired

Philadelphia, PA  
t: 215.864.6870  
f: 215.789.6675



### OVERVIEW

David Marion is retired from White and Williams LLP effective January 2, 2026.

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

David had achieved numerous noteworthy court victories, including seven-figure jury verdicts in an unfair competition case against a major broadcast network; 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 served as President of the Philadelphia Lawyers Club. He also served as the National Chancellor of the Tau Epsilon Rho Law Society. He was elected to Fellowship in the American College of Trial Lawyers, the International Academy of Trial Lawyers and the American Academy of Appellate Lawyers and held leadership positions in a number of non-profit organizations.

David received the James Wilson Award for service to the profession, the school and the 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 annually in Chambers USA as a leading lawyer in commercial litigation since the honor's inception in 2003 and was described as a "very highly regarded trial attorney." Since 2004, in surveys of his peers, David has been selected as a Pennsylvania "Super Lawyer." During the 62 years he had practiced, David never lost a case, when he handled both the trial

### PRACTICES

Commercial Litigation  
Professional Liability  
Appellate  
Class Actions

### 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

and the appeal. 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 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 has served pro bono as General Counsel to Encore Series Inc./the Philly Pops Orchestra.

## REPRESENTATIVE MATTERS

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

Served 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 were 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

Secured for a client a refund of costs and fees in a case where the client had been sued by the Federal Trade Commission

## IN THE NEWS

Best Lawyers® Recognizes 40 White and Williams Lawyers  
8.21.25

White And Williams Celebrates Chambers USA Guide 2025 Rankings  
*Chambers USA Guide 2025*, 6.9.25

Best Lawyers® Recognizes 49 White and Williams Attorneys  
8.15.24

White and Williams Celebrates Chambers 2024 Rankings  
*Chambers USA Rankings 2024*, 6.10.24

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

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

## **PUBLICATIONS**

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