

## A. Christopher Young

Partner

Philadelphia

[christopher.young@troutman.com](mailto:christopher.young@troutman.com)

D 215.981.4190



Clients turn to Chris to resolve complex commercial disputes, as well as for advice on risk management and alternative dispute resolution. He is adept at antitrust, admiralty, commercial, franchising, and products liability claims, among others.

### OVERVIEW

Chris' trial practice involves many areas, including antitrust, admiralty, commercial disputes, franchise/distribution issues, and products liability.

He has represented businesses in a variety of industries, including petroleum marketers, chemical manufacturers and distributors, medical device makers, health care service organizations, fire safety companies, convenience retailers, and multiunit restaurants, in litigation involving business and commercial disputes.

Chris is trial counsel in a number of business and commercial disputes in state and federal courts across the U.S. In addition, he regularly counsels clients on compliance with state and federal franchise, distribution, pricing, and antitrust laws.

### REPRESENTATIVE MATTERS

#### Antitrust and Pricing Disputes

- Defended a branded grocery store chain against resale vertical price fixing and Robinson-Patman price discrimination claims in an arbitration proceeding before the American Arbitration Association.
- Represented an opt-out merchant in the Payment Card and Interchange Fee Antitrust MDL Litigation.
- Dismissed antitrust and constitutional claims brought by a competitor fire alarm monitoring services company. *Alarm Detection Systems, Inc. v. Orland Fire Protection Dist., et al.*, 326 F. Supp. 3d 602 (N. D. Ill., 2018) *affirmed* 929 F. 3d 865 (7th Cir. 2019).
- Secured dismissal in favor of a security alarm monitoring services company against a competitor's antitrust and constitutional claims and obtained affirmance on appeal. *Alarm Detection Systems, Inc. v. Village of Schaumburg*, 2018 U.S. Dist. LEXIS 168170 (N.D. Ill., Sept. 28, 2018) *affirmed* 930 F. 3d 812 (7th Cir. 2019).
- Obtained summary judgment for a petroleum marketing company dismissing claims for below cost sales in violation of Florida's Motor Fuel Marketing Practices Act and Deceptive and Unfair Trade Practices Act. *NJN Systems, Inc. v. Sunoco, Inc.*, 95 F. Supp. 3d 1330 (M.D. FL. 2015), *affirmed* (11<sup>th</sup> Cir. April 6, 2016).

- Challenged a fire district's enactment of a municipal ordinance making it the exclusive provider of fire alarm monitoring services on antitrust, constitutional and state law grounds. *ADT Security Services, Inc. v. Lisle-Woodridge Fire Prot. Dist.*, 672 F. 3d 492 (7th Cir. 2012); 799 F. Supp. 2d 880, 888 (N.D. Ill. 2011).
- Defended convenience store owners and operators against a competitor's claim they violated the below cost sales provision of Pennsylvania's Cigarette Sales and Licensing Act.
- Defended consumer fraud price gouging claims brought by New Jersey Attorney General related to motor fuel pricing in the aftermath of Hurricane Katrina.
- Defended to dismissal a petroleum marketing company against a nationwide class of franchisees seeking compensation for alleged bad faith pricing. *Callahan v. Sunoco, Inc.* (R&M), 2004 WL 1119936, 58 Fed. R. Serv. 3d 638 (E.D. Pa. 2004); *Callahan v. Sunoco, Inc.* (R&M), 2005 WL 994615, 57 UCC Rep. Serv. 2d. (E.D. Pa. 2005).
- Defended to dismissal and through appeal a bad faith pricing claim brought against a large petroleum marketing company by 12 of its franchisees. *Tom-Lin Enterprises, Inc. v. Sunoco, Inc.* (R&M), 349 F.3d 277 (6th Cir. 2003).
- Defended a petroleum refiner and marketer through trial and appeal against price discrimination claims under the Robinson-Patman Act and open term bad faith pricing claims under the Uniform Commercial Code. *Schwartz v. Sun Company, Inc.* (R&M), 21999 U.S. Dist. LEXIS 22257 (E.D. Mi., December 6, 1999), reversed in part, affirmed in part, 276 F. 3d 900 (6th Cir, 2001).

## Franchise and Dealer Litigation

- Defending an auto and home insurer against claims its exclusive agency agreement violates the New York Franchise Sales Act in New York federal court.
- Defending a franchise broker against fraud and conversion claims brought by franchisees in Ohio state court.
- Pursued declaratory and injunctive relief against a franchisee's attempts to join a franchise broker to arbitration proceedings against a franchisor.
- Defending a grocery store chain against licensee's fraud and New Jersey Franchise Practices Act claims. *Reinvestment Fund, Inc. v. Rauh*, 2023 WL 8434471 (N.J. Sup. Ct., App. Div. December 5, 2023).
- Pursuing Lanham Act and statutory unfair competition claims against a grocery store licensee and its successor arising out of the closing of a retail grocery store in Massachusetts federal court.
- Defended a petroleum marketing company against claims that the sale of its marketing premises violated the New Jersey Franchise Practices Act.
- Prosecuted federal tax refund claims for ethanol blending fuel credits. *Sunoco, Inc. v. United States*, 129 Fed. Cl. 322 (2016).
- Obtained summary judgment for a petroleum marketing company dismissing claims for violation of Virginia's Petroleum Products Franchise Act. *RWG Ventures, Inc. v. Sunoco, Inc.* (R&M), et al., 2015 U.S. Dist. LEXIS 158210 (E.D. Va. 2015).
- Defended a petroleum marketing company against a competitor's attempt to enjoin its rebranding of 35 retail stores in Virginia. *BP Prods. N. Am., Inc. v. Southside Oil, LLC*, 2013 U.S. Dist. LEXIS 176286 (E. D. Va. 2013).
- Sought to enjoin the termination of a trademark licensing agreement under the Petroleum Marketing Practices Act on behalf of a petroleum refiner. *Suncor Energy (USA), Inc. v. Phillips 66 Company*, (D. Colo. 2013).
- Obtained emergency interim relief under the Optional Rules for Emergency Measures for Protection of the American Arbitration Association requiring a terminated distributor of a medical device manufacturer to return customer records. *In the Matter of the Arbitration Proceeding Between Draeger Safety Diagnostics Inc. and New Horizon Interlock, Inc.* (Dallas, Texas 2011).
- Obtained a directed defense verdict in a class action seeking \$700 million in damages for breach of contract claim by a nationwide class of current and former dealers of ADT Security Services, Inc. *Advantek Pro, Inc. v. ADT Security Services, Inc.*, Arapahoe County District Court, Colorado (2010).
- Enjoined a petroleum distributor from changing the brand of its 15 Charlotte, NC retail stores. *Sunoco, Inc.*

(*R&M*) v. *LSAA, Inc.*, 2005 WL 2076412 (W.D. N.C. 2005).

- Defended a security alarm company through trial against breach of contract claims brought by one of its authorized dealers. *RS&I, Inc. v. ADT Security Services, Inc.*, Arapahoe County District Court, Colorado (2009).
- Defeated a franchisee's suit seeking to enjoin the termination of a franchise agreement under the Petroleum Marketing Practices Act. *NSY, Inc. v. Sunoco, Inc. (R&M)*, 218 F. Supp. 2d 708 (E.D. Pa. 2002).

### Shareholder Litigation and Business Torts

- Representing a former managing member of a Delaware LLC disputing an allocation of proceeds from a company sale in Delaware Chancery Court. *Paul v. Rockpoint Group, LLC*, 2024 WL 89643 (Del. Ch. Ct., January 9, 2024).
- Defended a transportation company against IT vendor's breach of contract claims securing judgment in client's favor on its counterclaims after 2-day bench trial in Pennsylvania federal court. *1228 Investment Group, LP v. Hub Group, Inc.*, 2024 WL 3360660 (E.D. Pa., July 9, 2024).
- Pursued no-poach and no-solicitation claims on behalf of a therapeutic and behavioral support company against a former customer in California federal court.
- Defended minority shareholders and corporate officers against breach of fiduciary duty and accounting claims under the Virginia corporate code in Virginia state court.
- Obtained summary judgment for two corporate health care executives on fraud and breach of fiduciary duty claims arising out of a failed Merger Agreement. *Olympus Managed Health Care, Inc. v. American Housecall Physicians, Inc.*, 853 F. Supp. 2d 559 (W.D. N.C. 2012).
- Investigated wrongful trade secret disclosures on behalf of a pharmaceutical company.
- Defended a corporation against breach of contract claims arising out of a Stock Purchase Agreement in an arbitration proceeding governed by the Commercial Arbitration Rules of the American Arbitration Association. *In the Matter of The Arbitration Proceeding Between Occitan Investments Ltd. and Olympus Healthcare Solutions, Inc.* (Washington, D.C. 2009).
- Brought a claim in Delaware Chancery Court to determine the person entitled to the corporate offices of Chief Executive Officer and President of a Delaware corporation (2003).
- Defended dehumidification company against a competitor's Lanham Act and commercial disparagement claims in New Jersey federal court.

### Consumer Fraud and Financial Services Litigation

- Defending a grocery store chain against consumer fraud class actions under G.B.L. §§ 349 and 350 in New York state court.
- Defended a debt restructuring company against TCPA class action claims.
- Defended an auto insurer against TCPA class action claims.
- Defended a structured settlement purchaser against class RICO, constitutional and breach of fiduciary duty claims in Pennsylvania federal court. *Dockery v. Heretick*, 2022 WL 14810015 (3d Cir., October 26, 2022).
- Defending a structured settlement purchaser against putative class action claims for fraud and state law unfair trade practices in Missouri federal court. *Tarvin v. J.G. Wentworth Co.*, 2020 WL 3498155 (E.D. Mo., June 29, 2020).

### Legal Malpractice Litigation

- Defending an *AmLaw* 100 law firm against legal malpractice and breach of fiduciary duty claims in New Jersey state court.

## Tort and Product Warranty Litigation

- Defended an electric transformer manufacturer against an electric utility's breach of warranty claims in Arizona federal court.
- Acted as national coordinating counsel for a multinational chemical manufacturer in its defense of asbestos premises liability claims.
- Brought a claim against a tug boat and its owner to recover for damage to the river water intake system of a coal fired electric power plant. *Exelon Generating Co., LLC v. Vane Line Bunkering Co.*, 2008 WL 2188333 (E.D. Pa. 2008).
- Brought a claim against a strip coal mine operator to recover remediation costs incurred when it stuck an underground gasoline pipeline. *Sun Pipeline Company v. Mallard Construction Co.*, Northumberland County Court of Common Pleas, Pennsylvania (2008).
- Defended to dismissal a breach of warranty claim against a manufacturer of children's furniture. *Simplicity, Inc. v. MTS Products, Inc.*, 2006 WL 924993 (E.D. Pa. 2006).
- Compelled arbitration of a wrongful death claim based on an arbitration clause in a consumer contract and defended the claim in an arbitration proceeding administered by the National Arbitration Forum. *Peltz v. Sears Roebuck & Co.*, 367 F. Supp. 2d 711 (E.D. Pa. 2005).
- Defended a disability insurer against first party benefit and bad faith insurance practices claims.
- Defended to dismissal libel and slander claims against an Italian Public Television Broadcaster. *D'Onofrio v. Il Corriere Della Sera*, 373 F. Supp. 2d. 555 (E.D. Pa. 2005).
- Defended through arbitration a freight forwarding company against a claim that it was vicariously liable for the acts and omissions of its Indonesian agent for its alleged failure to pay Indonesian import taxes. *In the Matter of the Arbitration Proceeding Between Alstom Power, Inc. and BDP International, Inc.* (New York, 2003).

## AWARDS

- Thomson Reuters Stand-out Lawyer (2023-2025) – independently rated lawyers
- *Legal 500 United States: Antitrust: Civil Litigation/Class Actions: Defense* (2025)
- *Pennsylvania Super Lawyers* (2015)

## TOP AREAS OF FOCUS

- Antitrust
- Business Litigation
- Class Action
- Franchise, Distribution + Marketing Litigation
- Investment Funds + Investment Management Services

## ALL AREAS OF FOCUS

- Antitrust
- Business Litigation
- Class Action
- Delaware Court of Chancery Litigation
- Environmental Litigation + Enforcement Defense
- Food + Beverage
- Franchise, Distribution + Marketing Litigation

- International Arbitration
- Investment Funds + Investment Management Services
- Litigation + Trial
- Marketing + Advertising
- Pharmaceutical + Medical Device Litigation + Counseling

## **PROFESSIONAL/COMMUNITY INVOLVEMENT**

- Co-chair, Franchise Law Committee of the Business Law Section, Philadelphia Bar Association, 2007-2009
- Co-chair, Petroleum Marketing Committee of the American Bar Association's Section of Energy and Environmental Resources, 2009-2013
- Member, ABA's Forum on Franchising

## **EDUCATION AND CERTIFICATIONS**

### **EDUCATION**

- Tulane University Law School, J.D., 1989
- Denison University, B.A., 1983, history

### **BAR ADMISSIONS**

- New York
- Pennsylvania
- New Jersey

### **COURT ADMISSIONS**

- U.S. Court of Appeals, Second Circuit
- U.S. Court of Appeals, Third Circuit
- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, Sixth Circuit
- U.S. Court of Appeals, Seventh Circuit
- U.S. Court of Appeals, Eleventh Circuit
- U.S. Court of Federal Claims
- U.S. District Court, District of Colorado
- U.S. District Court, District of New Jersey
- U.S. District Court, Eastern District of New York
- U.S. District Court, Southern District of New York
- U.S. District Court, Eastern District of Pennsylvania
- U.S. District Court, Middle District of Pennsylvania
- U.S. District Court, Eastern District of Michigan
- U.S. District Court, Eastern District of Wisconsin
- Supreme Court of the United States

## **SPEAKING ENGAGEMENTS**

- Speaker, Annual Antitrust CLE Event – 2025, Troutman Pepper Locke, December 4, 2025.
- Speaker, “Antitrust Panel,” 2025 Energy Marketing Attorneys’ Conference, February 25, 2025.
- Speaker, “Where Do We Stand Now and What Could the Next Administration Bring?” Annual Antitrust CLE Event, December 5, 2024.
- Speaker, “Hot Topics, Including Antitrust Crimes, Employment Issues, No-Poach, and the Aftermath,” Troutman Pepper Annual Antitrust CLE Event, December 6, 2022.
- Co-presenter, “PMPA and Antitrust Update,” The Petroleum Marketing Attorneys Meeting, April 1, 2022.
- Presenter, “Pepper Hamilton’s Annual Antitrust Developments Update,” December 11, 2019.
- Presenter, “Increased Scrutiny of ‘No-Poach’ Agreements and the Impact on Health Care Practices,” PBI’s A Day on Health Law, October 30, 2019.
- Program Committee, “Petroleum Marketing Attorneys’ Meeting,” October 10-11, 2019.
- Presenter, “Increased Scrutiny of ‘No-Poach’ Agreements and the Impact on Health Care Practices,” 25th Annual PBI Health Law Institute, March 12-13, 2019.
- Presenter, “Recent Legal Challenges to No-Poach Provisions,” PBA Antitrust Law And Franchise Law Committees, February 27, 2019.
- Panelist, “Hottest Topics in Ethics in the Last Year,” Pepper Hamilton CLE Event, December 12, 2018.
- Presenter, “Pepper Hamilton’s Annual Antitrust Developments Update,” December 6, 2018.
- Presenter, “Commercial Litigation Annual Update,” 2018 Petroleum Marketing Attorneys’ Meeting, October 25-26, 2018.
- Presenter, “Labor Pains: Antitrust Challenges to ‘No-Poaching’ and Non-Solicitation Agreements,” ABA Business Law Section Annual Meeting 2018, September 13-15, 2018.
- Panelist, “Celebrity News and Legal Ethics – The Crossover Edition,” Pepper Hamilton CLE Program, August 1, 2018.
- Presenter, “Pepper Hamilton’s Detroit Antitrust Conference,” January 25, 2018.
- Panelist, “Does Your Company’s Distribution Strategy Create Legal Risk?,” Pepper Hamilton CLE Webinar, April 27, 2017.

## PUBLICATIONS

- Co-author, “The FTC Intervenes in Franchise Relationships,” *Troutman Pepper*, July 15, 2024.
- Co-author, “Seventh Circuit Revives McDonald’s Employee No-Poach Litigation,” *Troutman Pepper*, October 3, 2023.
- Co-author, “Judge Acquits All in Most Recent DOJ No-Poach Setback,” *Troutman Pepper*, May 10, 2023.
- Co-author, “DOJ Fails to Convict in No-Poach/Wage Fixing Case,” *Business Law Today*, April 12, 2023.
- Co-author, “Antitrust Division Calls on Activision to Do Its Duty to eSports League Players,” *Troutman Pepper*, April 7, 2023.
- Co-author, “DOJ Fails to Convict in No-Poach/Wage Fixing Case,” *Troutman Pepper*, March 31, 2023.
- Co-author, “FTC Seeks Public Comment on Potential Franchise Rule,” *Troutman Pepper*, March 24, 2023.
- Co-author, “Hee Pretrial Diversion Agreement Signals Small Victory for Antitrust Division in Wage Fixing and Staffing Allocation Case,” *Troutman Pepper*, January 30, 2023.
- Co-author, “DOJ Evolves Its Strategy of Increased Criminalization of Employment Restrictions Under Antitrust Laws,” *Troutman Pepper*, December 13, 2022.
- Co-author, “Recent No-Poach Developments: Hold the Pickle, Hold the Dismissal — Eleventh Circuit Overturns Burger King’s District Court Judgment,” *Troutman Pepper*, September 23, 2022.
- Co-author, “Recent No-Poach Developments: McDonald’s Latest Judicial Win Comes as Federal Enforcement Agencies Ally to Promote Labor,” ABA’s *Business Law Today*, August 8, 2022.

- Co-author, "Recent No-Poach Developments: Federal Enforcement Agencies Ally to Promote Labor and McDonald's Latest Judicial Win," *Troutman Pepper*, July 29, 2022.
- Co-author, "Federal Court Denies DOJ's Request to File Statement of Interest in Pending McDonald's No-Poach Class Action," *Troutman Pepper*, April 6, 2022.
- Co-author, "Current Advice on Managing Resale Prices in Franchising," *The Franchise Lawyer*, Fall 2021.
- Co-author, "No-Poach Case Against HP Dismissed for Failure to Allege a Plausible Conspiracy," *Troutman Pepper*, November 29, 2021.
- Co-author, "Senate Proposal Opens the Door for Increase in State Attorneys General Antitrust Lawsuits," *Troutman Pepper*, October 7, 2021.
- Co-author, "Ninth Circuit Upholds Unlimited Nonsolicitation Provision," *Troutman Pepper*, September 21, 2021.
- Co-author, "Class Certification Denied in Two Fast-Food Franchise No-Poach Antitrust Lawsuits," *Business Law Today*, September 15, 2021.
- Co-author, "A Canary in the Coal Mine? Class Certification Denied in Fast-Food Franchise No-Poach Antitrust Lawsuits," *Troutman Pepper*, August 12, 2021.
- Co-author, "Justice Department Takes Action in the No-Poach Arena," *Employee Relations Law Journal*, Summer 2021.
- Co-author, "Electric Vehicles," Chapter in *Distributed Generation Law: A Guide to Regulations, Policies, and Programs*, American Bar Association, August 2020.
- Co-author, "No-Poach Franchise Case Dismissed Under Single-Entity Rule," *Client Alert*, April 27, 2020.
- Co-author, "DOJ and FTC Warn Employers That Antitrust Laws Still Apply Amid COVID-19 Pandemic," *Client Alert*, April 15, 2020.
- Co-author, "Are No-Hire Provisions Now Void And Unenforceable Under Pennsylvania Law?," *Hiring to Firing Law Blog*, January 28, 2019.
- Author, "Legal Challenges to No-Poach Provisions in Franchise Agreements," Distribution Newsletter of the ABA Section of Antitrust Law, Distribution and Franchising Committee, January 2019.
- Co-author, "Pa. Superior Court Reopens Debate on Personal Jurisdiction for Foreign Corporations," *Client Alert*, December 20, 2018.
- Co-author, "Registration Equals Consent to General Personal Jurisdiction, Says Pa. Court – But Should It?," *Client Alert*, October 11, 2018.
- Co-author, "Recent FTC Settlement Confirms Enforcement Priority to Protect Employees From Employer Collusion," *Client Alert*, August 2, 2018.
- Co-author, "Unsettled Jurisdiction: Does a Foreign Corp. Consent to Be Sued in Pa. When It Registers to do Business in State?," *Client Alert*, July 23, 2018.
- Co-author, "Fast-Food Chains Agree to End Franchise No-Poach Restrictions," July 13, 2018.
- Co-author, "Pure Hearts and Franchise Termination: The Role of Good Faith Under State Relationship Laws," *The Franchise Lawyer*, Spring 2018.
- Co-author, "No-Poach Agreements Targeted by Plaintiffs, Enforcement Agencies and Senators," *Client Alert*, April 4, 2018.
- Co-author, "Pa. Supreme Court Finds Pa. Consumer Protection Law May Protect Nonresidents," *Client Alert*, February 26, 2018.
- Author, "Federal Court Reinforces That Franchisors Should Control Advertising to Ensure Uniformity," *Client Alert*, January 31, 2018.
- Co-author, "Finding Foreign Service Difficult? Look for the Defendant on Facebook," *Client Alert*, October 23, 2017.
- Co-author, "When a Warehouse Is a 'Place of Business' Under the New Jersey Franchise Practices Act," October 2, 2017.
- Co-author, "Franchisor's Racial Animus Is Irrelevant in Determining Legality of Franchise Termination Under

NJ Franchise Practices Act,” *Client Alert*, September 25, 2017.

- Co-author, “Lessons Unlearned: Franchise and Independent Contractor Agreements Can Be Kiss of Death,” September 22, 2016.
- Co-author, “Franchise Relationships, Personal Information and Trade Secret Liability,” *Client Alert*, August 29, 2016.
- Co-author, “Franchisor to be Considered Statutory Employer? Pa. Supreme Court to Decide,” July 28, 2016.
- Co-Author, “Electric Vehicle Charging Station Regulation: Why Your Local Electric Vehicle Charging Station Doesn’t (And Shouldn’t) Look Like Your Local Gas Station,” June 23, 2016.
- Co-author, “Loyalty Programs: All Fun and Games Until Someone Wants You to Buy Them a Harrier Jump Jet,” *Client Alert*, May 16, 2016.
- Author, “Does The Implied Duty of Good Faith and Fair Dealing Under Pennsylvania Law Govern a Franchisor’s Contractual Performance? One Federal Judge Thinks So,” *Commercial Litigation Alert*, June 8, 2010.

## **MEDIA COMMENTARY**

- Quoted, “Top Connecticut Cases of 2023,” *Law360*, December 21, 2023.
- Quoted, “Structured Settlement Cash-outs Examined,” *Virginia Lawyers Weekly*, March 29, 2021.
- Quoted, “Alleged ‘No Hire’ Pacts at Saks, Luxury Brands Raises Complex Antitrust Issues,” *WWD*, February 25, 2020.
- Quoted, “Justices’ Potential Ruling on No-Hire Pacts Could Mean ‘Major Shift’ for Pa. Employers,” *The Legal Intelligencer*, July 25, 2019.
- Quoted, “KFC Wins Right to Restrict Halal Advertising; Case Reminds Franchisees of Parent Brand’s Contract Rights,” *Cook County Record*, March 26, 2018.