Christopher R. Healy

Counsel

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An appellate specialist, Chris Healy excels at distilling complex legal and factual issues into clear and concise written and oral advocacy.

OVERVIEW

Chris's practice focuses on appellate litigation. He has argued before the U.S. Courts of Appeals for the Third and Eleventh Circuits and has authored or co-authored dozens of briefs in the U.S. Supreme Court, most federal courts of appeals, and numerous state appellate courts. Chris has particular experience before the Third Circuit, serving as a law clerk early in his career, and more recently having the rare privilege of arguing before the *en banc* Third Circuit.

Chris's experience includes such diverse subject matters as higher education and Title IX, class action defense, intellectual property, professional liability, products liability, civil rights, criminal defense, and immigration. He has successfully opposed certiorari in the U.S. Supreme Court and briefed appeals involving hundred-million dollar professional liability claims, multibillion dollar patent infringement claims, issues of first impression under the False Claims Act, 19th century Pennsylvania property law, and everything in between.

In addition to his appellate work, Chris represents clients in critical matters before trial courts. Chris helped win, following a bench trial, a favorable judgment in a case involving commercial real estate refinancing and appraisal. He was a member of the defense team in the largest auditor liability case ever to go to trial in the U.S., and he helped win a complete defense verdict for a medical device manufacturer in a federal criminal trial alleging off-label promotion.

Chris has a deep commitment to pro bono practice. He regularly represents immigration clients before the federal circuit courts of appeals and the Board of Immigration Appeals. He has been appointed as pro bono counsel by the Third and Eleventh Circuits, the latter of which ruled unanimously in the client's favor just four days after oral argument, commending Chris for having "very ably represented" his client and noting the court's appreciation for Chris's "service to his client and the justice system."

Before joining the firm, Chris clerked for Judge D. Michael Fisher of the U.S. Court of Appeals for the Third Circuit and Judge Christopher C. Conner of the U.S. District Court for the Middle District of Pennsylvania. After his clerkships, Chris worked in the litigation and appellate practices of two national firms in Washington, D.C., and served as the Ethics & Excellence in Journalism Fellow at the Reporters Committee for Freedom of the Press. Chris graduated 10th in his class from William & Mary Law School, where he was a notes editor for the *William &*

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Mary Law Review and a member of the moot court team, winning numerous intermural moot court competitions.

REPRESENTATIVE MATTERS

Before the U.S. Supreme Court

- Represented a major public university in defeating a petition for certiorari in a Title IX case (U.S. Supreme Court).
- Represented an auto manufacturer in defeating a petition for certiorari raising questions of personal jurisdiction (U.S. Supreme Court).

Before the U.S. Court of Appeals for the Third Circuit

- Represented noncitizen in briefing and arguing, before the *en banc* Third Circuit, appeal considering whether a conviction for fleeing from police is a removable “crime involving moral turpitude” under the Immigration and Nationality Act.
- Represented aircraft component manufacturer on appeal following decade-long trademark infringement litigation.
- Represented consumer goods company on appeal of injunction in trademark litigation.
- Represented family trust on appeal in litigation over mineral rights involving questions of 19th century Pennsylvania property law.
- Represented noncitizen in successfully briefing and arguing appeal involving the removability of a prior conviction.
- Represented noncitizen, as appointed pro bono counsel, in successfully briefing and arguing appeal involving claim under Convention Against Torture.

Before Other Federal and State Appellate Courts

- Represented financial services company in obtaining, and successfully defending on appeal, dismissal of complaint on derivative sovereign immunity grounds (Fourth Circuit).
- Represented property management company in defending summary judgment on statute of limitations grounds (D.C. Circuit).
- Represented health insurer in government-contract litigation in multiple states (Nebraska Supreme Court, Kentucky Supreme Court, and others).
- Represented major university in successfully opposing class action plaintiffs’ petitions for interlocutory review of order striking class allegations at the pleading stage (Sixth Circuit).
- Represented a major accounting firm in successfully defending on appeal summary judgment in a $100 million professional liability case (Eleventh Circuit).
- Represented major pharmaceutical company in obtaining reversal, on interlocutory appeal, of order denying dismissal in a case presenting issues of first impression under the False Claims Act (Second Circuit).
- Represented prisoner in obtaining reversal, following oral argument, of summary judgment on qualified immunity grounds on a civil rights claim (Eleventh Circuit).
- Represented national retail chain in class action involving novel questions of federalism and the Commerce Clause (U.S. Supreme Court and Eighth Circuit).
- Represented major pharmaceutical company in a multibillion-dollar patent infringement case (Federal Circuit).
- Represented major technology company in a software patent infringement case (Federal Circuit).
- Represented U.S. military veterans in securing a landmark, unanimous victory challenging systemic delays in the Veterans Administration’s benefits appeals process (Federal Circuit).

- Represented criminal defendant challenging conviction and sentence for mail fraud (Fourth Circuit).
- Represented nonprofit organization that aids victims of human trafficking as amicus curiae (Fifth Circuit).
- Represented noncitizen in obtaining precedential ruling that certain Pennsylvania theft offenses are not crimes involving moral turpitude (Board of Immigration Appeals).
- Represented noncitizen in obtaining termination of removal proceedings (Board of Immigration Appeals).

Commercial Litigation

- Obtained, following a bench trial, favorable judgment on behalf of noteholders in a case involving commercial real estate refinancing and appraisal.
- Represented at trial health care providers asserting insurance fraud and identity theft claims.
- Represented a Big Four accounting firm in the largest auditor liability case ever to go to trial in the U.S.
- Represented a medical device manufacturer in obtaining a complete defense verdict in a federal criminal trial alleging off-label promotion.

Higher Education

- Represented numerous colleges and universities in putative class actions seeking tuition refunds related to COVID-19.
- Represented a major public university in multiple Title IX lawsuits, including two putative class actions related to the school's sexual harassment disciplinary processes.

AWARDS

- High Honors, Capital Pro Bono Honor Roll, D.C. Access to Justice Commission and the D.C. Bar Pro Bono Center (2024)

TOP AREAS OF FOCUS

- Appellate + Supreme Court
- Business Litigation
- Educational Institutions
- First Amendment + Newsroom

PROFESSIONAL EXPERIENCE

- Ethics & Excellence in Journalism Fellow, Reporters Committee for Freedom of the Press, 2011–2012

EDUCATION AND CERTIFICATIONS

EDUCATION

- William & Mary Law School, J.D., 2011, notes editor, *William & Mary Law Review;* William & Mary Moot Court Team
- The Pennsylvania State University, B.A., 2008, political science and economics

BAR ADMISSIONS

- District of Columbia
- Pennsylvania
- Virginia (Inactive)

COURT ADMISSIONS

- Supreme Court of the United States
- 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, Fifth Circuit
- U.S. Court of Appeals, Sixth Circuit
- U.S. Court of Appeals, Eighth Circuit
- U.S. Court of Appeals, Ninth Circuit
- U.S. Court of Appeals, Eleventh Circuit
- U.S. Court of Appeals, Federal Circuit
- U.S. District Court, District of Columbia
- U.S. District Court, Eastern District of Pennsylvania
- U.S. District Court, Middle District of Pennsylvania
- U.S. District Court, Western District of Michigan

CLERKSHIPS

- Hon. D. Michael Fisher, U.S. Court of Appeals, Third Circuit, 2013-2014
- Hon. Christopher C. Conner, U.S. District Court, Middle District of Pennsylvania, 2012-2013

PUBLICATIONS

- Co-author, "Ninth Circuit: Universities May Be Liable Under Title IX for Off-Campus Assaults," *Troutman Pepper*, October 4, 2023.
- Co-author, "Third Circuit Rules Universities May Face Title IX Liability for Sexual Misconduct by Nonstudent Guests," *Troutman Pepper*, January 13, 2022.
- Co-author, "En Banc Sixth Circuit Reaffirms High Bar for Title IX "Deliberate Indifference"," *Troutman Pepper*, January12, 2021.