

# Christopher G. Clark

Skadden

Counsel, Boston

Litigation



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## Education

J.D., Cornell Law School, 2005  
(*cum laude*; Managing Editor,  
*Cornell Law Review*)

M.A., Brandeis University, 2002

B.A., Brandeis University, 2002  
(*cum laude* with high honors in Politics)

## Bar Admissions

Massachusetts

New York

U.S. Supreme Court

U.S. Courts of Appeals for the First,  
Second, Third, Sixth and Ninth Circuits

U.S. District Courts for the District  
of Massachusetts and the Southern  
District of New York

Christopher Clark represents U.S. and international clients on a broad range of litigation and regulatory matters, including in state and federal trial and appellate courts, before state and federal government agencies, and in arbitration and mediation proceedings. Mr. Clark has handled a wide range of matters, including complex commercial and multijurisdictional litigation; disputes arising out of corporate mergers and acquisitions; class action litigation; securities, governance and corporate law matters; insurance and reinsurance transactions; trade secret misappropriation and noncompetition disputes; and intellectual property licensing litigation.

Mr. Clark's experience includes representing:

- the directors of EMC Corporation in state and federal court litigation arising out of its sale to Dell Technologies for approximately \$60 billion, including a Massachusetts Supreme Judicial Court case that resulted in a decision establishing the standard for fiduciary duty litigation in Massachusetts;
- Merrimack Pharmaceuticals in litigation against convertible noteholders arising out of its sale of assets for up to \$1.025 billion;
- Nightstar Therapeutics in state and federal court litigation arising out of its \$800 million sale to Biogen;
- GTY Technology in state and federal court proceedings related to its acquisition of six companies;
- Terumo Americas Holding in a post-closing federal court lawsuit arising out of its acquisition of Harvest Technologies;
- Getronics N.V. and Getronics Finance Holdings B.V. in arbitration and state and federal court proceedings arising out of the sale of certain North American subsidiaries;
- Sycamore Networks in a post-closing purchase-price adjustment arbitration arising out of the sale of assets to a private equity firm;
- the directors of IntraLinks Holdings in a federal securities class action and related derivative lawsuits in New York state and federal courts;
- Aviva International Insurance in defending a class action relating to the sale of structured settlement annuities;
- A&E Television Networks, members of the band Bon Jovi, the Boston Red Sox, Fox Broadcasting Company, Major League Baseball Properties, Time Warner, Turner Broadcasting Systems and several other entities in multiple state and federal trial and appellate court proceedings defending against claims for unfair competition and alleged violation of the Massachusetts consumer protection statute;
- Aspen Technology, Inc., AVG Technologies, EMC Corporation and VMware in expedited court proceedings seeking injunctive relief to enforce covenants not to compete with key executives and to protect against theft of trade secrets and confidential information;

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- Acacia Communications in litigation concerning unfair competition and interference with contractual and prospective relations;
  - CPK Media in a federal court injunction proceeding related to the launch of its new business;
  - The Associated Press, Gannett Co., the LPGA, the NFL, *The Washington Post* and numerous other content creators as *amicus curiae* in the *Viacom v. YouTube* litigation in New York federal court and the Second Circuit;
  - Argus Media in New York federal court and American Arbitration Association proceedings concerning breach of contract and copyright infringement claims;
  - Weil Lifestyle in federal court proceedings in New York and Florida asserting claims for breach of a license agreement and personal guarantee contract; and
  - EIM Holdings, Elders Limited and Validus Holdings in federal court proceedings across the country involving internet domain name and cybersquatting claims.

Mr. Clark's practice also includes representing corporations and individuals in matters before the SEC, the Massachusetts Attorney General's Office and the Massachusetts Securities Division.

He also maintains an active *pro bono* practice and regularly handles housing court, family law, prisoners' rights, wage theft and immigration matters, and has served on the *pro bono* panels of the Second and Ninth Circuits. He has been recognized in *The National Law Journal's* Appellate Hot List for his work on a prisoners' rights

appeal to the First Circuit in which he secured a reversal on a jurisdictional issue of first impression. In 2014, Mr. Clark was a recipient of the Boston Bar Association's President's Award for his representation of several victims of the Boston Marathon bombings. In 2016, he received the Cornell Law School Exemplary Public Service Award, and in 2018 he was named an Excellence in the Law Honoree for Pro Bono by *Massachusetts Lawyers Weekly*.

Mr. Clark currently serves on the board of directors of the Volunteer Lawyers Project of the Boston Bar Association, a nonprofit organization dedicated to increasing access to justice in civil legal cases; The Disability Law Center, a nonprofit organization responsible for providing protection and advocacy for the rights of Massachusetts residents with disabilities; and Lawyers for Civil Rights, a nonprofit organization that fosters equal opportunity and fights against discrimination.

## Publications

Co-Author, "The Boston Bar Association's Marathon Assistance Program: One Year Later," *Boston Bar Journal*, April 2014

Co-Author, "Second Circuit Reverses Troubling Federal District Court Decision Affecting the Rights of Copyright Owners to Combat Online Piracy," *Media Law Resource Center*, April 2012

Co-Author, "*Commonwealth v. Fremont*: The SJC Addresses the Intersection Between the Massachusetts Public Records Law and Court-Issued Protective Orders," *Boston Bar Journal*, Fall 2011