



Joseph C. Merschman

PARTNER

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Joe is a Partner in Wiggin and Dana's Litigation Department and has extensive experience in complex commercial litigation and arbitration. Joe represents clients in a wide variety of industries, including health care, insurance, biotech, manufacturing, technology, and real estate, and clients include multi-national corporations, closely held companies, family businesses, and individuals. Joe has significant experience in matters involving business torts, breach of contract, intellectual property, and securities. Joe also regularly represents the owners of private companies in "business divorces" and other disputes with their partners and investors.

Joe was appointed by the ABA to serve as a Vice Chair of the ABA's Commercial & Business Litigation Committee, where he also serves as Editor-in-Chief of the Committee's quarterly publication. Joe's achievements have been recognized by *Benchmark Litigation*, *New England Super Lawyers*, and *The Connecticut Law Tribune*.

Joe's notable experiences and achievements include:

- A complete victory on all claims for a biotech client in an international arbitration resulting in an eight-figure award. Joe served as lead trial counsel and was praised for his withering cross-examinations of the opposing fact and expert witnesses. The arbitration panel awarded the firm's client full compensatory damages, plus interest, attorney's fees, and all costs.
- Representing a global healthcare company in high-stakes litigation against companies and individuals in on-going effort to recover for pandemic-era fraud.
- Obtained a favorable settlement for the owner of ten urgent care centers in a "business divorce" from his business partner.
- Representing owners of a successful family business in multiple on-going lawsuits against their business partners for oppression, fraud, breach of contract, breach of fiduciary duty, and other claims.
- Defending a leading university against a lawsuit challenging changes to the process through which the university trustees are elected.

Prior to private practice, Joe clerked for the Connecticut Supreme Court for Justice Christine Vertefeuille and for U.S. District Judge Richard Roberts at the U.S. District Court in Washington, D.C.

Education

- University of Connecticut School of Law (J.D.)
 - with honors
- University of Iowa (B.B.A.)

Bar Admissions

- Connecticut
- Massachusetts

Court Admissions

- US District Court (District of Connecticut)
- US District Court (District of Massachusetts)
- US District Court (Eastern District of New York)
- US District Court (Southern District of New York)
- US Court of Appeals for the First Circuit

Distinctions

- *Benchmark Litigation* (2016-2026)
- *Connecticut Law Tribune* “New Leader in the Law” for 2015
- *Martindale-Hubbell* “AV Preeminent” peer review rating
- *New England Super Lawyers*

Memberships and Affiliations

- American Bar Association
- Connecticut Bar Association
- New Haven County Bar Association

Publications

February 20, 2020

2019 Review of Consumer Protection Law Developments (Second Edition)

American Bar Association - Antitrust Law Section

November 13, 2018

Legal Issues for High-Growth Technology Companies

The National Law Review

September 12, 2018

You've Been Sued: How to Avoid Early Missteps

The National Law Review

November 29, 2016

Spotlight on Pro Bono: Wiggin and Dana LLP

American Bar Association

June 4, 2015

Competition News, June 2015

October 31, 2014

The Ascertainability Requirement for Class Actions Now Has Teeth

American Bar Association Commercial & Business Litigation Committee Website

November 20, 2013

Second Circuit Vacates Class Certification, Telling District Court to Decide Summary Judgment First

ABA Commercial & Business Litigation website

July 16, 2012

Connecticut Appellate Court Holds that Franchisor Is Not Vicariously Liable for Torts of Its Franchisee

July 9, 2012

Defense Can Contact Members Of Proposed Class

Connecticut Law Tribune, Vol. 38, No. 28

January 1, 2002

Anchoring Copyright Laws in the Copyright Clause: Halting the Commerce Clause End Run Around Limits on Congress's Copyright Power

Connecticut Law Review, 34 Conn. L. Rev. 661

January 1, 2001

The Dark Side of the Web: Cyberstalking and the Need for Contemporary Legislation

Harvard Women's Law Journal, 24 Harv. Women's L.J. 255