



Christopher C. Popper

Partner

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Wilmington, DE

Chris is a seasoned trial lawyer and legal troubleshooter who works with closely held small-to-midsize companies and family businesses to decrease litigation risk, resolve disputes and navigate operational challenges. Chris regularly works with clients in construction, real estate and health care.

On the strategy side, Chris advises clients on pragmatic measures that lessen the likelihood of lawsuits on an enterprise-wide and project-specific basis, helping them mitigate litigation risk related to contract compliance, corporate governance, workplace issues and other common points of conflict.

When litigation is unavoidable, Chris is a zealous advocate who focuses on finding efficient resolutions — whether at the negotiating table, in arbitration and mediation, or when necessary, in court — that enable clients to move beyond the dispute and achieve their business goals.

Litigation

In his litigation practice, Chris helps businesses resolve internal disputes involving owners, directors, employees and stockholders as well as external disputes with outside contractors, customers and other entities with which they do business. He also provides proactive counsel on steps companies can take to avoid litigation.

Companies in the construction and solar energy industries rely on Chris to find effective, practical resolutions to disputes involving delays, defective services and materials, water and fire damage and payment problems so that the private and public sector projects in which they are engaged can proceed to completion.

A skilled negotiator, Chris is adept at reaching favorable settlements that advance his clients' commercial goals. When litigation is the only option, he is tenacious and resourceful, defending his clients and protecting their vital interests in court. He handles matters involving:

- Breach of contract claims
- Construction defects and delays
- Warranty claims
- Payment and collection disputes
- Partnership disputes and dissolutions
- Breach of fiduciary duty claims
- Post-acquisition disputes

- Investment-related disputes
- Employment-related claims

Business Counsel

As a business-focused legal adviser, Chris often serves clients as outside general counsel, attending board meetings and counseling company leadership on a broad range of day-to-day issues including employment matters, executive compensation, receivables collection, governance issues, fiduciary obligations and risk mitigation.

In both roles, Chris starts by listening to his clients, immersing himself in their business and industry in order to tailor his advice to their unique needs. Admitted to practice in Pennsylvania and the incorporation hub of Delaware, Chris is well positioned to address a wide variety of business challenges.

A lifelong resident of Chester County, Pennsylvania, Chris has developed valuable, long-term relationships with members of the community, many of whom are now clients.

Select Matters

- Serves an outside general counsel role for a large roofing company and manages disputes/compliance relating to warranty coverage, payment disputes, employment issues, vendor management, compliance, and contract matters.
- Litigated and settled a post-acquisition dispute involving earn-out compensation owed to our client (a home health care agency) and allegations that our clients violated restrictive covenants (non-compete and non-solicit restrictions). The case involved an injunction proceeding in the U.S. District Court for the Eastern District of Pennsylvania and resulted in a favorable settlement early in the litigation process.
- Litigated several disputes involving the breakup of a family-owned HVAC business. The dispute is ongoing and has involved numerous allegations of solicitation of customers in violation of restrictive covenants as well as other alleged anti-competitive conduct.
- Negotiated a favorable pre-litigation resolution for a minority owner and executive of a family-owned, Pennsylvania-based fire equipment supplier related to the sale of the company to a third party. The dispute, with other family members regarding the ownership and management of the company, involved claims of excessive compensation and breach of fiduciary duty.
- Secured a court-ordered stock sale that allowed clients to recoup more than \$1 million invested in medical technology companies controlled by an individual who was later charged with running a Ponzi scheme. Initially negotiated a favorable settlement agreement that was breached, leading to execution proceedings that ended with the court-ordered sale of the debtor's stock in a third-party company in Delaware.
- Obtained a favorable outcome for the 50% owners of a company in the particle sizing industry involving the redemption of the clients' stock following an arbitration proceeding. Asserted claims of shareholder oppression and breach of fiduciary duty on the client's behalf in connection with the other owners' management and control of the company.
- Negotiated a favorable settlement for the 50% owners of a medical marijuana operation in an ownership and management dispute involving claims of breach of fiduciary duty, including self-dealing and unauthorized corporate actions. The matter involved emergency injunction proceedings and an arbitration.

[View a full list of representative engagements.](#)

Services

- Litigation
- Construction
- E-Discovery
- Labor & Employment
- Employment Litigation

Before Fox Rothschild

Prior to joining Fox Rothschild, Chris worked in Delaware for a regional law firm, where he focused on commercial and corporate disputes, product liability litigation (mostly defending companies in asbestos-related litigation) and professional liability litigation (defending medical professionals and medical practices against claims of medical malpractice).

During law school, Chris served as a judicial extern to the Honorable Charles H. Toliver IV of the Superior Court of Delaware, New Castle County. Prior to law school, worked as a law clerk at a Philadelphia-based firm that primarily handled residential mortgage foreclosures.

While in law school, Chris served as the articles editor for the *Delaware Journal of Corporate Law*.

Bar Admissions

- Pennsylvania
- Delaware

Education

- Widener University School of Law (J.D., 2011)
- Boston College (B.S., 2007)

Memberships

- Pennsylvania Bar Association
- Chester County Bar Association
- Delaware State Bar Association

Honors & Awards

- Selected to the "Ones to Watch" list for Litigation - Labor & Employment (2022-2024) and Commercial Litigation (2023, 2024) in Exton, PA by *Best Lawyers*
- Selected to the "Rising Stars" list for Products Liability in Exton, PA by *Super Lawyers* (2022)

Representative Matters

- Served as second chair counsel for a complex construction arbitration (through the American Arbitration Association) between a Pennsylvania municipality and a large engineering firm involving claims regarding the municipality's wastewater treatment facility.
- Served as first chair trial counsel for a contractor against customers regarding a residential construction dispute in Berks County, Pennsylvania. Obtained a verdict in the client's favor following a bench trial.
- Served as first chair trial counsel for homeowners against a roofing contractor in Berks County, Pennsylvania, obtaining a favorable jury verdict. In a subsequent bench trial phase, the court awarded our client treble damages and attorneys' fees under Pennsylvania's Unfair Trade Practices Consumer Protection Law.
- Negotiated a favorable pre-litigation resolution for a minority owner and executive of a family-owned, Pennsylvania-based fire equipment supplier related to the sale of the company to a third party. The dispute, with other family members regarding the ownership and management of the company, involved claims of excessive compensation and breach of fiduciary duty.
- Negotiated favorable pre-litigation settlement for stockholders in a benefits consulting company that was acquired by a leading global benefits advisory company. The stockholders disputed the acquiring company's earnout calculations.
- Obtained a favorable outcome for the 50% owners of a company in the particle sizing industry involving the redemption of the clients' stock following an arbitration proceeding. Asserted claims of shareholder oppression and breach of fiduciary duty on the client's behalf in connection with the other owners' management and control of the company.
- Helped clients achieve a court-ordered stock sale that allowed them to recoup more than \$1 million invested in medical technology companies controlled by an individual who was later charged with running a Ponzi scheme. Initially negotiated a favorable settlement agreement that was breached, leading to execution proceedings involving the court-ordered sale of the debtor's stock in a third-party company in Delaware.
- Represent an employee who left a family-owned HVAC business to start a competing business and was sued by his prior employer for theft of trade secrets and breach of fiduciary duty. Negotiated a favorable settlement involving stipulated restrictive covenants. A dispute regarding compliance with the settlement agreement is ongoing.

- Negotiated a favorable settlement for the stockholders of a medical transcription company that was acquired by a competitor. The stockholders of the acquired company filed suit for breach of the merger agreement —bringing claims related to post-merger payments owed to the stockholders.
- Obtained a jury verdict in Berks County, Pennsylvania in favor of homeowners in a construction-related dispute with a home improvement contractor.
- Obtained a favorable settlement in arbitration for the owners of a business that was sold to a larger corporation. The clients faced claims that they violated certain warranty provisions in the asset purchase agreement.
- Assisted in negotiating a favorable settlement for beneficiaries of a life insurance trust in a federal court action against institutional trustees who failed to appropriately monitor the trust, leading to a termination of the life insurance policy.