



Mark J.R. Merkle

Partner - Retired

Mark Merkle retired from Krieg Devault LLP in 2025. Throughout his career, he focused on business litigation, product liability, employment law, and class action defense. He represented major manufacturers and commercial clients in complex disputes in both state and federal courts, including multi-district and class action litigation.

Mark also advised clients on labor and employment matters and had extensive experience drafting and enforcing contracts, including employment agreements and commercial documents. He previously served as Acting General Counsel for a national manufacturing company and, in his final role at the Firm, as Krieg Devault's General Counsel.

For questions relating to matters in which Mark was involved, please contact Joshua D. Hague.

Education

- J.D., Indiana University Robert H. McKinney School of Law, Indianapolis, Indiana, 1983
- A.B., *cum laude*, Wabash College, Crawfordsville, Indiana, 1980

Bar & Court Admissions

- Indiana, 1983
- U.S. District Court for the Northern District of Indiana, 1983
- U.S. District Court for the Southern District of Indiana, 1983
- U.S. Court of Appeals 7th Circuit, 1983

Practices

- Appellate
- Class Action and Multi-Party Litigation
- Litigation and Dispute Resolution
- Financial Services Litigation
- Internal and Government Investigations
- Trust and Estate Litigation
- Municipal and Governmental Litigation

Industries

- Financial Services

Representative Experience

- Liaison counsel in multi-district litigation actively involved in coordinating the defense of class action claims and over eight hundred personal injury and wrongful death claims
- *Mills vs Old National Bank*- successful dismissal of class action suit alleging injury resulting from breach of computer system security
- *Mayberry vs Bridgestone Firestone North American Tire* - Appeal to the Indiana Supreme Court resulting in the adoption of a three-part balancing test in the discovery of trade secret information
- Successfully represented Management in the decertification of a union based on the United States Constitution
- Directed Verdict for defendant in jury trial where plaintiff claimed over \$25 million in Damages
- Judgment for plaintiff in ERISA suit-first reported Indiana District Court case finding a participant had a right to recover from the administrator for individual damages versus damages to the plan itself

Professional Associations

- Defense Trial Counsel of Indiana, Member
- Indianapolis Bar Association, Member
- 7th Circuit Bar Association, Member
- Indiana State Bar Association, Member
- Indiana Lawyers Club, Member
- The Law Club, Member

Awards & Recognitions

- Benchmark Litigation, Indiana Litigation Star

Seminars & Presentations

- "Litigating Banking Law Issues", Banking Law and Regulation (ICLEF), 2017
- "Litigating Banking Law Issues", Banking Law and Regulation (ICLEF), 2010
- Defense Trial Counsel of Indiana- presentation on trial strategy

Publications

- Co-Author, "Indiana Financial Institutions Continue to be Targeted in Class Action Overdrafts and NSF Lawsuits," February 3, 2021
- Contributing Author Indiana Section - The Product Liability Desk Reference
- Contributing Author Indiana Section - The Business Torts Desk Reference