

## CASE STUDIES

### **Noncompetition, Nonsolicitation, Confidentiality Agreement**

Represented employer; drafted agreement covering issues such as

- ◆ Appropriate scope of restrictions for use in different states
- ◆ Protecting trade secrets and proprietary information
- ◆ Retaining and transitioning clients upon termination of employment
- ◆ Enforceability, dispute resolution, and remedies

### **Workplace Investigation**

Represented employer; handled issues such as

- ◆ Harassment and discrimination fact finding
- ◆ Preparing investigation report and recommendations
- ◆ Post-investigation response and communications with employees
- ◆ Litigation avoidance strategies

### **CEO Employment Agreement**

Represented CEO; negotiated issues such as

- ◆ Accelerated vesting of stock options
- ◆ Structured payout upon change of control
- ◆ Vesting of phantom equity shares
- ◆ Restrictive covenants (competition, solicitation, confidentiality)
- ◆ Public announcement

### **Employment Discrimination Charge**

Represented employer; handled issues such as

- ◆ Investigating allegations and preparing responsive materials
- ◆ Potential media exposure
- ◆ Mediation and settlement agreement
- ◆ Designing and implementing policies to prevent future problems

### **Hedge Fund Agreement**

Represented fund managers; negotiated issues such as

- ◆ Compensation agreement and accounting for expenses
- ◆ Capital ramp-up schedule
- ◆ "Down and out" conditions
- ◆ Separation terms, including placement rights and access to track record
- ◆ Ownership of intellectual property

### **Consultancy Partnership Agreement**

Represented partner; addressed issues such as

- ◆ Voting rights
- ◆ Protecting equity stake
- ◆ Dispute resolution
- ◆ Dissolution procedures, including re-couping capital contribution

### **Employee Handbook**

Drafted for employer; covered issues such as

- ◆ Confidential information
- ◆ Leave policies
- ◆ Harassment complaint procedure
- ◆ Workplace violence

### **Physician Employment Contract**

Drafted for physician-employer; covered issues such as

- ◆ Maintaining licenses, certifications, confidentiality
- ◆ Job sharing