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RELATED CAPABILITIES

Employment Law

NONCOMPETES & BUSINESS DIVORCE

"Growth is painful. Change is painful. But nothing is as painful as staying stuck somewhere you do not belong." N.R. Narayana Murthy.

Change is an inevitable part of business – and often necessary change in business includes new starts, separation and dissolutions. And with a modern business landscape wrought with obstacles to simple change, business people often need trusted counsel to navigate these changes.

NONCOMPETES

Given the increased mobility of employees and the competitive nature of today's business environment, change is common and covenants not to compete have become a common component of employment contracts and business purchase agreements.

Hill Ward Henderson's Noncompete Litigation Group regularly assists clients in both prosecuting and defending actions to enforce non-competition agreements and other forms of restrictive covenants, in state and federal courts and in arbitration proceedings. Our attorneys also advise and counsel clients in anticipation of litigation or potential litigation and routinely assist in preparation of non-compete agreements and other forms of restrictive covenants.

BUSINESS DIVORCE

Internal disputes between business partners may lead to what is sometimes called "Business Divorce".

While we have a group of lawyers, who identify themselves as "business divorce lawyers," these lawyers will always begin by analyzing triggering events and economic ramifications to provide the best practical counsel on bringing appropriate changes about. We spend as much time counseling business people out of litigation, as we do litigating business change. Our goal is to handle business separations as efficiently as each matter will allow.

However, sometimes litigation is necessary, and we have a sophisticated practice, well leveraged to provide, often immediate, solutions to business change. Our business clients range from start-

Noncompetes & Business Divorce

ups with minimal, if any, formal structure, to established and sophisticated partnerships, LLCs, and corporations. Business partners include founders, owners, investors, officers, and directors, among others.

Because each business is unique, so too are the disputes that may arise among the constituents. These matters may involve the leadership and direction of the business, executive separations, nondisclosure, nonsolicitation, and noncompetition agreements, a variety of other contractual challenges, trade secrets, and disparagement or defamation. We have tried business separation disputes in both federal and state court with a large degree of success.

In any situation, our business divorce attorneys work closely with their clients to identify and pursue strategies to advance their business interests effectively.

CLIENT ADVISORIES

FTC Proposes Rule that Would Ban Non-Compete Agreements
Advisory, 1.11.23