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Limitations on Competition

The enforceability of restrictive covenants in the employment setting, including such post-employment limitations as non-competition and non-solicitation agreements, is a highly complex and uncertain area of the law. Clear answers are hard to come by when the issue of the enforceability, or lack thereof, of such post-employment limitations on competition are at issue. Mr. Feliu and Ms. Myers are well-suited to counsel both employers and employees in this area. For over ten years, Mr. Feliu was the New York Editor for the four leading treatises in the area published by the American Bar Association and BNA Books: Covenants Not to Compete, Duty of Loyalty, Trade Secrets, and Tortious Interference with Contracts. He also has ruled on the enforceability of restrictive covenants on numerous occasions as an arbitrator. Mr. Feliu's advice is rooted in a breadth of experience and perspective that few share, and he prides himself on providing practical, experience-based advice to clients trying to navigate the turbulent waters of the enforceability of post-employment limitations. Ms. Myers has for over a decade counseled clients on the enforceability of post-employment restrictions and litigated claims on behalf entities ranging from Fortune 100 companies to small limited liability corporations, as well as individual executives. Because of their unique and broad experience, Mr. Feliu and Ms. Myers are often called upon to represent executives in transition, often at the suggestion of the potential new employer, to help ensure that the legal risks associated with a transition are limited and the rights of the former employer are respected.