



When you need a mediator who understands non-compete and trade secret litigation.



Mediating non-compete and trade secret disputes presents unique challenges because departing employee litigation has all of the hallmarks of litigation compressed into a short and urgent timeframe. It is expensive, fast paced, driven by emotion, and often embraces issues of tremendous importance.

Mediation *Matters*



So does
experience.

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Non-Compete
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Mediating non-compete and trade secret disputes is different than mediating general commercial disputes. This is particularly true early on in litigation. Non-compete cases are front loaded by nature and get expensive quickly. The associated expenses are often beyond a party's control. Mediation restores control. Using a mediator experienced in non-compete and trade secret litigation is essential.

Consider mediating early with a mediator who can do so rapidly. The conventional wisdom when it comes to mediation is that the parties should not do so until they have had a chance to conduct discovery. More often than not, this advice is right

on the money. But the nature of a non-compete and trade secret cases is different. These cases require rapid attention, and that is equally true in mediation if an early settlement is desired before expenses escalate.

Be open to creative solutions. Courts have discretion to fashion equitable remedies. Mediation may require equal creativity. This can be particularly essential when a defendant lacks deep pockets. Your mediator needs deep non-compete litigation experience to craft creative solutions.

Michael R. Greco has prosecuted and defended hundreds of departing employee matters in more than 35 different state and federal courts. He received his mediation training from the Center for Dispute Settlement in Washington DC.

Mediation Resources

Twenty-seven offices around the country: Atlanta – Boston – Charlotte – Chicago – Cleveland – Columbia – Dallas – Denver – Fort Lauderdale – Houston – Irvine – Kansas City – Las Vegas – Los Angeles – Louisville – Memphis – New England – New Jersey – New Orleans – Orlando – Philadelphia – Phoenix – Portland, Oregon – San Diego – San Francisco – Tampa – Washington DC

Diverse experience:

- Non-compete, non-solicitation, non-recruitment, non-use and non-disclosure agreements;
- trade secrets and confidential business information;
- unfair competition and employee raiding;
- fiduciary duty and duty of loyalty claims; and
- statutory issues under the federal Computer Fraud and Abuse Act, the Economic Espionage Act, and various state trade secrets, computer protection and unfair competition statutes.