



Evan D. Parness

Partner

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Evan Parness has a full-service labor and employment practice that includes litigating cutting-edge issues at the trial and appellate levels, negotiating employment aspects of complex M&A deals and other business transactions, and counseling global employers on compliance with national, state, and local employment laws and regulations.

RELATED SERVICES

- Employment

Evan represents employers and senior executives in non-compete, harassment, discrimination, retaliation, ERISA, and business tort litigation in state and federal courts, administrative agencies, and alternative dispute resolution bodies. Evan has secured significant trial and appellate victories for clients, including complete dismissals of discrimination and retaliation lawsuits, successful verdicts following trial, and injunctive relief on behalf of clients enforcing restrictive covenants.

Evan also counsels established and emerging companies on compliance with federal, state, and local employment laws and regulations, and litigation avoidance measures in connection with all aspects of workplace employment issues. Evan conducts sensitive internal investigations of alleged discrimination and harassment, and assists employers in shaping workplace policies to comply with law and promote a productive working environment.

Evan advises leading companies on the labor and employment aspects of significant business transactions and acquisitions. He negotiates employment-related provisions in business transaction documents and oversees due diligence of a potential target's employment practices. Evan also counsels clients on executive employment and restrictive covenants agreements.

Law 360 named Evan a 2018 Rising Star in Employment Law. Evan was one of only five employment attorneys nationwide to receive this honor. The award recognizes attorneys under age 40 whose legal accomplishments transcend their age.

Evan has also been recognized as a "Rising Star" by *New York Metro Super Lawyers* in 2013, 2014, 2015, 2016, 2017, and 2018.

EXPERIENCE

REPRESENTATIVE TRIAL AND APPELLATE MATTERS

- Representation of a large benefits, insurance and wealth management firm and its affiliates in employment-related matters, including successfully obtaining summary judgment dismissal of an age discrimination lawsuit in federal court
- Secured a unanimous jury verdict on behalf of one of the largest private universities in the US in connection with a series of lawsuits in New York brought by a former adjunct professor alleging retaliation

- Secured an 11th Circuit Court of Appeals victory for a leading healthcare corporation in a restrictive covenants matter, vacating a preliminary injunction that had barred an executive from accepting employment
- Secured a complete trial victory in the Southern District of New York in defense of a large private university in a class action in which the plaintiffs had sought more than US\$350 million in damages for alleged ERISA violations
- Representation of a leading medical laboratory company in a disability discrimination jury trial; following verdict of no compensatory damages, case was resolved on favorable terms
- Representation of a financial services company, including successfully obtaining dismissal of a disability discrimination case before the New York State Division of Human Rights
- Representation of a production studio, including successfully obtaining dismissal of a race discrimination and retaliation case before the New York City Commission on Human Rights
- Representation of real estate finance company in successful prosecution of claim for injunctive relief against former executive enforcing non-competition and non-solicitation agreement
- Representation of a leading fashion modeling agency, in successfully prosecuting and defending claims concerning alleged breach of employment and non-solicitation agreements, claims for unfair competition, tortious interference, breach of contract and promissory estoppel, including proceedings seeking and obtaining injunctive relief, including recently obtaining dismissal of a lawsuit brought in the Southern District of New York
- Representation of a leading manufacturer of premium chocolates in employment-related matters, including advice concerning internal investigations of alleged employee misconduct, employee disciplinary actions, and negotiation of key agreements
- Successfully prosecuting claims for injunctive relief on behalf of one of the nation's leading providers of language translation, document management and litigation support services in multiple actions relating to the enforcement of non-competition, non-solicitation and confidentiality agreements

REPRESENTATIVE COUNSELING AND INVESTIGATION MATTERS

- Conduct sensitive investigations into alleged harassment and discrimination, and, where warranted, advise clients on appropriate corrective actions and workplace policies to ensure a productive workplace that complies with applicable laws and regulations
- Negotiate and draft employment agreements, restrictive covenant agreements, and severance/settlement agreements on behalf of leading companies in the financial services, technology, life sciences, and media, sports and entertainment sectors

REPRESENTATIVE BUSINESS TRANSACTION MATTERS

- Representation of Haymaker Acquisition Corp., a publicly traded special purpose acquisition company, in the employment-related aspects of its US\$948 million business combination with OneSpaWorld, a global provider of health and wellness products and services on board cruise ships and in destination resorts around the world
- Representation of a global financial services company in its multi-million acquisition of another financial services company, handling all employment aspects of the transaction

CREDENTIALS

Admissions

- New Jersey
- New York

Clerk Experience

- Honorable Barry T. Albin, Supreme Court of New Jersey
- National Football League Management Council

Recognitions

Evan has been named a 2018 Rising Star in Employment Law by *Law360*. Evan was one of 5 employment attorneys nationwide who were selected for this honor.

Evan has been selected as a Fellow of the American Bar Foundation. The Fellows comprise a global honorary society of attorneys, judges, law faculty and legal scholars whose public and private careers have demonstrated outstanding dedication to the highest principles of the legal profession and to the welfare of their communities. Membership in the Fellows is limited to one percent of lawyers licensed to practice in each jurisdiction.

He has been recognized as a "Rising Star" in *New York Metro Super Lawyers* for 2013, 2014, 2015, 2016, 2017, 2018, and 2019.

Additionally, Evan has been recognized by *The Legal 500 United States*.

For more information, pursuant to New Jersey Lawyer Advertising guidance, please click here.

Education

- B.A., Brown University
Phi Beta Kappa
- J.D., Cornell Law School
Cornell Law Review, Editor

Courts

- United States Court of Appeals for the Second Circuit
- United States District Court for the District of New Jersey
- United States District Court for the Southern District of New York
- United States District Court for the Eastern District of New York
- United States Court of Appeals for the Eleventh Circuit

INSIGHTS

Publications

Supreme Court: employers defending against Title VII discrimination or retaliation claims must timely assert employee's failure to first file EEOC charge

5 JUN 2019

A simple step may preserve a potentially dispositive defense that is otherwise waived if not timely asserted.

Restrictive Covenant and Trade Secret Misappropriation Claims: Key Initial Considerations and Tips for Seeking TROs, Preliminary Injunctions, and Other Relief

5 JUN 2018

Daniel Turinsky, Evan Parness and Britt Hamilton provide guidance on the substantive and procedural considerations involved in pursuing legal action to protect employer trade secrets and enforce restrictive covenants against former employees.

- "Taking the high road: New York employers should prepare for legalized marijuana," *New York Law Journal*, February 19, 2019
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- "Restrictive Covenant and Trade Secret Misappropriation Claims: Key Initial Considerations and Tips for Seeking TROs, Preliminary Injunctions and Other Relief," *Lexis Practice Advisor*, June 5, 2018
- "Breaking Up Is Hard To Do: But a Good Separation Agreement Can Ease the Pain," *The Labor Dish*, February 7, 2017
- "Retaliation Claims Under The False Claims Act: A Pop Quiz," *The Labor Dish*, January 4, 2016
- "Be Like Mike? Enforcing Restrictive Covenants Against Unique Employees," *The Labor Dish*, May 18, 2015

NEWS

Brooke Kim and Evan Parness named *Law360* Rising Stars

16 AUG 2018

DLA Piper is pleased to announce that *Law360* has named Brooke Kim and Evan Parness to its 2018 list of Rising Star attorneys.

DLA Piper wins significant victory for New York University

31 JUL 2018

DLA Piper won a significant victory for its client, New York University (NYU), in an Employee Retirement Income Security Act (ERISA)- related class action.

MEDIA MENTIONS

Quoted, "Fairer Layoffs: How Do You Decide Who Stays and Who Goes?" *SHRM*, October 25, 2019

PRO BONO

Evan is a member of the firm's Pro Bono Committee in New York.

The Lawyers Alliance of New York recognized Evan for his successful representation of BK ROT, a non-profit environmental organization that promotes community-based, green jobs for youth.

He provides pro bono legal representation to Sunnyside Community Services, an organization which provides social services to seniors and youth.

Evan also provides pro bono employment law counsel to Sundog Theatre, a New York-based not-for-profit theater company that provides educational theatre programming to schools in the New York City area.