



**Evan D. Parness**

**Associé**

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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.

- Droit de l'emploi et du travail

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.

*The Legal 500* recognized Evan as a "Next Generation Partner" in its 2021 rankings. In addition, *Law360* 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.

## 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

## DIPLÔMES

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### Admissions au Barreau

- New Jersey
- New York

### Stages

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

### Reconnaissance

In 2021, *Chambers and Partners* recognized Evan as a Labor and Employment "Up and Coming Partner," in New York, emphasizing his strengths as a go-to lawyer for employment disputes, including trial and appellate proceedings. As reviewed by Evan's clients, "He is really good at taking an overhead view of a case and figuring out the strategy of what needs to get done." "He knows the law and works together with me to do what is best for our organization." Evan was also recognized as a "Next Generation Partner" by *The Legal 500* in their 2021 rankings.

For more information, pursuant to New Jersey Lawyer Advertising guidance, please [click here](#).

## Diversity, Equity, and Inclusion

Commissioner, ABA Commission on Racial and Ethnic Diversity in the Profession, 2020-2021

- Evan was appointed to this position by ABA President Patricia Refo.

## Éducation

- 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

## ACTUALITÉS

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### Publications

- "When creating return-to-work policies, consider groups hardest-hit by pandemic," *ABA Journal*, August 9, 2021
- "Don't Throw Caution to the Winds: Discrimination and Harassment in the Age of Teleworking," *New York Law Journal*, February 19, 2021
- "Taking the high road: New York employers should prepare for legalized marijuana," *New York Law Journal*, February 19, 2019
- "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

## ACTUALITÉS

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### MEDIA MENTIONS

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

### PRO BONO

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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.