

"No poach" Indictment Serves as Reminder for Competitors

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by Michael A. Kurs and James T. Shearin

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Michael A. Kurs and James T. (Tim) Shearin, attorneys in Pullman & Comley's Litigation practice, co-authored an article on "no poach" agreements that was published in the *Hartford Business Journal*. These agreements, also known as "employee allocation" or "non-solicitation" agreements, are made between two or more competitors to neither recruit or hire each other's employees. They may well be a violation of antitrust laws, and indeed have made headlines recently in lawsuits claiming they were used to suppress employee pay or stifle competition.

According to Mike and Tim, the best solution for individuals, companies, whether large or small, for-profit and nonprofit organizations, is a proactive compliance program. "Compliance programs help organizations avoid other antitrust pitfalls such as price fixing, bid rigging and market allocation," they write.

Read the full article on the Hartford Business Journal website.

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Practice Areas

Litigation

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