



## → Jennifer G. Redmond

### Partner

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Jennifer Redmond is a partner in the Labor and Employment Practice Group in the firm's San Francisco office and is Leader of the firm's Noncompete and Trade Secrets Team. She is also Head of the firm's Compensation Committee.

### Areas of Practice

Jennifer specializes in executive disputes and negotiations, negotiating and litigating restrictive covenants, trade secrets litigation, whistleblower litigation, and wage and hour class action litigation. She writes regularly on the topic of restrictive covenants in California and assists in the structuring of transactions and relationships to support the use of restrictive covenants. She has significant experience in the technology, financial services, entertainment, drug distribution, and national multi-housing industries.

Jennifer's general employment experience includes counseling employers on enforcement of non-solicitation and non-compete agreements, protection of trade secrets, wage and hour compliance, WARN Act compliance, family and medical leave compliance, disability accommodation, and employee housing, among other topics; assisting in the design and implementation of restructuring and downsizing programs; mediating employment disputes; training management and employees on harassment and discrimination prevention on compliance with wage and hour obligations.

### Honors

Northern California "Super Lawyer", *Law & Politics* and *San Francisco Magazine*, 2006-2019

Recognized for Labor and Employment Litigation, *Best Lawyers*, 2021, 2022

Martindale-Hubbell® AV Rated Lawyer

### Experience

#### Recent Representative Matters

Secured a temporary restraining order and preliminary injunction in California state court on behalf of an executive search firm against a competitor and two former employees in a misappropriation of trade secrets and unfair competition case.

Prevailed on trade secret misappropriation claims in federal court in the Central District of California against former executives of a regional financial institution who put together a competing business plan using the companies' trade secrets. Obtained a temporary restraining order and a preliminary injunction barring the

defendants from soliciting clients and employees, including through the use of trade secrets maintained in memory. Case thereafter settled favorably, including a three-year stipulated injunction.

Defended a bedding frame manufacturer and distributor in Missouri federal court against trade secret claims (among others) resulting from the exchange of information under an NDA during merger negotiations and later hiring of Plaintiff's executive after the deal busted. Removed to federal court and prevailed in obtaining (1) dissolution of an *ex parte* temporary restraining order, and (2) an order holding that Plaintiff's noncompetition agreement is unenforceable as a matter of law.

Defended an executive against a temporary restraining order and effort to enforce a two-year noncompete provision in federal court in Oregon. Obtained an order requiring the former employer to pay the executive during the restricted period, which resulted in a favorable settlement.

Testified as an expert witness on California restrictive covenants in a high-profile divorce proceeding in Marin County Superior Court where a multi-million dollar payment for a post-termination noncompete was challenged by a former spouse as unenforceable under California law and therefore attributable instead to services rendered during employment (and, as such, was community property).

Represents one of the world's largest software development companies in WARN Act compliance.

Represented major e-commerce company in defense of lawsuit alleging disability discrimination and failure to accommodate brought by former employee who suffered from stage 4 colon cancer and a stroke. Brought successful petition to compel arbitration and obtained defense ruling in arbitration finding that employer properly engaged in the interactive process, provided reasonable accommodation, and terminated the employee only after accommodations were unsuccessful.

Represents one of world's largest personal technology companies in the strategic use, litigation, and negotiation of restrictive covenants globally.

Defended a leading drug distribution and healthcare technology company in 11-day jury trial against claims brought by a former technology consultant for indemnification under California Labor Code section 2802, breach of contract, wrongful termination, fraud and infliction of emotional distress. The claims were brought on the theory that the Plaintiff was a dual employee of Plaintiff's consulting firm employer and the client company. Complete defense verdict (12-0) obtained.

Filed noncompete enforcement action against former Chief Marketing Officer of multi-national company, following executive's abrupt resignation and demand for several million dollars in "good reason" severance. Matter settled quickly and favorably for our client.

Defended world's largest global network of integrated services in 15-day arbitration brought by former vice president who sued for gender discrimination, retaliation, defamation, breach of contract, and other claims. Plaintiff claimed damages in excess of \$4 million and was awarded a small fraction of the demand.

Defended national insurance and financial service company in 16-day trial brought by a former commissioned surety bond producer who sued for breach of contract, intentional interference with prospective economic advantage, fraud, negligent misrepresentation, defamation, and unfair business practices. Plaintiff's demand was \$4.4 million; complete defense verdict obtained.

Prosecution and defense of employee mobility cases involving trade secrets and restrictive covenants for talent agency, international insurance broker, biotech companies, national developer of multi-family residential and corporate housing, among others.

## Articles

- Crafting An Effective Bring Your Own Device (BYOD) Policy  
*National Apartment Association's Units Magazine*, 03.2018

### Restrictive Covenant Articles, Blogs & Speeches

- New York County Lawyers Association and Beverly Hills Bar Association Webinar - "Restrictive Covenants in NY & CA – A Comparative Analysis," April 29, 2021
- Guest Lecturer, University of California, Los Angeles - "Business Law for Non-Lawyers: Restrictive Covenants in California," April 15, 2021
- "California Labor Code Section 925 and How Employers Can Avoid It," *Sheppard Mullin Trade Secrets Law Blog*, March 29, 2021
- Los Angeles County Bar Association Webinar - "B2B Noncompetes and the Rule of Reason," October 8, 2020
- "*Ixchel v. Biogen*: California B2B Noncompetes Do Not Per Se Violate B&P Section 16600, and Are Instead Subject to Rule of Reason," *Sheppard Mullin Trade Secrets Law Blog*, August 14, 2020
- Strafford Webinar - "Noncompetes Under New State Law Restrictions: Wage Requirements, Notice, Time, Layoffs, Proposed Federal Legislation," July 14, 2020
- Bar Association of San Francisco Restrictive Covenant Program, November 2012
- "California Appellate Court Upholds Stipulated Injunction Prohibiting Solicitation of Customers and Rejects After-The-Fact Effort to Show that Customer Nonsolicit Violated California's Ban on Noncompetes," *Sheppard Mullin Labor & Employment Law Blog*, October 15, 2012
- Covenants Not To Compete In Limited Liability Company Operating Agreements May Be Enforceable Without Payment For Goodwill, *Business Law News*, September 2012
- "California Court Of Appeal Refuses To Enforce Non-Compete Against Selling Shareholder," *Sheppard Mullin Labor & Employment Law Blog*, September 4, 2012
- What To Do When A Selling Shareholder Becomes Your Employee: Drafting Enforceable Noncompetes Under Business and Professions Code Section 16601, *California Labor & Employment Bulletin*, October 2010
- Prosecuting and Defending Corporate Raiding, Customer Trade Secret and Employee Mobility Cases - "Injunctive Relief for Party whose Employee has Exited," Hyatt Regency San Francisco, San Francisco, California, December 3, 2009
- Silicon Separations, *The Deal Magazine*, September 18, 2009
- Does *Edwards v. Arthur Anderson* Bar the Use of Employee Confidentiality Agreements?, *Bender's California Labor & Employment Bulletin*, Vol. 2009, No. 8, August 2009
- Does *Edwards v. Arthur Anderson* Bar the Use of Employee Confidentiality Agreements?, *Association of Corporate Counsel*, June 19, 2009
- "California Court of Appeal Rejects Anti-SLAPP Motion in Trade Secrets/B&P Section 16600 Case," *Sheppard Mullin Labor & Employment Law Blog*, May 7, 2009
- "Ninth Circuit Limits the Scope of In-Term Covenants Not to Compete," *HouseJD*, February 9, 2009
- "California Supreme Court Disapproves "Narrow Restraint" Exception For Covenants Not To Compete; Holds General Waivers Should Not Be Interpreted To Waive Non-Waivable Rights," *Sheppard Mullin Labor & Employment Law Blog*, August 8, 2008

- Noncompete Clauses in California, *The Daily Deal*, June 30, 2008

## General Articles

- Ms. Redmond was quoted in the *Lawyers USA* article "Screening Applicants on Social Media Sites" in the May/June 2011 issue.
- California's Paid Family Leave Act Is Less Onerous Than Predicted, *Society for Human Resource Management*, January 2010
- Ms. Redmond was quoted in the *Los Angeles Daily Journal* article "Start-Ups Face Uphill Battle with Labor Law" on December 22, 2009.
- What Impact, If Any, Do the New Family and Medical Leave Act Regulations Have in California?, *Society for Human Resource Management (SHRM) California Employment Law Special Update*, April 1, 2009
- Historic Victorian Passes From One Lawyer To Another, *The Recorder*, October 22, 2007
- Apartment Industry Wage and Hour Obligations Under the Fair Labor Standards Act and California Labor Code and Wage Orders, published by the National Multi-Housing Council, Spring 2005
- Sailing Through the Employee Housing Bermuda Triangle, presented at National Multi-Housing Council Human Resources Forum, April 2004

## Corporate and Securities Law Blog Posts

- "Ninth Circuit Holds That Statutes Do Not Constitute "Rules or Regulations of the SEC" for Purposes of Sarbanes-Oxley Act Whistleblower Claims," March 4, 2019

## Labor & Employment Law Blog Posts

- "UPDATE: San Francisco Retail Workers' Bill of Rights," December 15, 2014
- "San Francisco Retail Workers' Bill of Rights," December 2, 2014
- "California Court of Appeal Enforces Contractor's Agreement to Arbitrate Misclassification Claims Out of State," July 31, 2014
- "Ninth Circuit Holds that Federal Securities Laws Preempt California Labor Code's Ban on Forced Patronage at Brokerage Firms," May 9, 2013
- "New California Commission Contract Rules - It is Not Too Early To Get Ready!" March 20, 2012

## Media Mentions

### Going the Distance

San Francisco-based Sheppard Mullin partner Jennifer Redmond races with a team of women  
*Daily Journal*, 07.27.2018

ZEAVION Holding's \$127.5 million acquisition of Gymboree Play & Music  
Don't Miss It: Hot Deals & Firms We're Following This Week  
*Law360*, 07.01.2016

## Speaking Engagements

National Multifamily Housing Council Webinar - "Risks and Return: A Conversation About Workplace and Property Readiness -- Part 1: Considering the Risks of Reactivation: Community Amenity and Leasing Office Challenges," May 6, 2020

2014 NMHC OpTech Conference & Exposition - "The Interactive Process: Spotlight on Multi Family," Hilton Orlando Bonnet Creek, Orlando, Florida, November 19, 2014

2012 National Multi Housing Council Human Resources Forum - "Wage-Hour Employee Classification: Strategies to Protect Your Firm," Renaissance Chicago Hotel, Chicago, Illinois, March 28, 2012

The Bar Association of San Francisco - "The Employment Investigation on Trial: An Interactive Program" BASF Conference Center, San Francisco, California, June 2, 2011

The Bar Association of San Francisco's 2010 Yosemite Conference - "Notice Pleading in Federal Court: R.I.P.?" Yosemite Lodge Conference Center, Yosemite, California, February 19-20, 2010 (*co-presented by Jennifer Redmond, Honorable Claudia Wilken, United States District Court for the Northern District of California, and Cliff Palefsky, McGuinn, Hillsman & Palefsky*)

The 6th Annual Wage & Hour Litigation Conference - "Meal and Rest Periods in California," San Francisco Marriott Union Square, San Francisco, California, September 17-18, 2009

EFF Bootcamp - "Employment Basics for Start-Ups," San Francisco, California, May 11, 2009

## Events

Labor & Employment Law Update & Happy Hour - San Francisco  
Fall 2019  
10.08.2019

Lean In To: Overcoming Workplace Bullying and Gender Biases  
Sheppard Mullin San Francisco, 03.20.2019

Labor & Employment Law Update & Happy Hour - San Francisco  
Fall 2018 Seminar Series  
09.26.2018

Labor & Employment Law Update & Happy Hour - San Francisco  
Fall 2017 Seminar Series  
10.18.2017

Breakfast With Your Labor Lawyer - San Francisco  
Spring 2017 Seminar Series  
05.03.2017

Labor & Employment Law Update & Happy Hour - San Francisco  
Fall 2015 Seminar Series  
09.24.2015

Breakfast With Your Labor Lawyer - Palo Alto  
Spring 2014 Seminar Series  
04.16.2014

Labor and Employment Law Update & Happy Hour Fall 2012 - Palo Alto  
Sheppard Mullin Palo Alto Office, 10.16.2012

## Memberships

2016-2018 Member, Board of Directors, Bar Association of San Francisco

Member, Impala Racing Team, all-women elite development racing team based in San Francisco

Member, American Bar Association

2014-2016 Chair, Executive Committee of the Labor and Employment Section of the Bar Association of San Francisco

2008 Chair, Executive Committee of the Litigation Section of the Bar Association of San Francisco

Provides pro bono advice to nonprofit organizations in the Bay Area, including Yerba Buena Center for the Arts, Friends of San Francisco Public Library, Chinese American International School, and California School-Age Consortium

## Practices

Healthcare

Labor and Employment

Labor and Employment Counseling

Litigation

Trade Secrets

Unfair Competition and Trade Secrets

Wage and Hour Class Actions

Wage and Hour Regulations

## Industries

Cannabis

Construction

Education

Entertainment and Digital Media

Financial Services  
Healthcare  
Life Sciences  
Multifamily Housing  
REIT  
Wine

## Education

J.D., Vanderbilt University, 1989, *Order of the Coif*, *Andrew Ewing Scholar*, Senior Articles Editor of *Vanderbilt Law Review*

B.A., University of Virginia, 1984, *with honors*

## Clerkships

Ms. Redmond clerked for Judge Earl B. Gilliam of the United States District Court for the Southern District of California.

## Admissions

California  
U.S. District Court, Southern District of California  
U.S. District Court, Northern District of California  
U.S. District Court, Central District of California  
U.S. District Court, Eastern District of California  
U.S. Court of Appeals for the Ninth Circuit