



Erik J. Winton

Principal
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Practices

Litigation
Restrictive Covenants,
Trade Secrets and Unfair
Competition
Advice and Counsel

Education

Benjamin N. Cardozo
School of Law, Yeshiva
University
J.D., 1995

Brandeis University
B.A., 1991

Admitted to Practice

- 1st Circuit Court of Appeals, 2002
- Connecticut - D. Conn., 1999
- Massachusetts - D. Mass., 2001
- Connecticut (inactive), 1996
- Massachusetts, 1995

Erik J. Winton is a principal in the Boston, Massachusetts, office of Jackson Lewis P.C. He is the co-leader of the firm's Restrictive Covenants, Trade Secrets and Unfair Competition practice group. His practice focuses on restrictive covenant drafting, counseling, litigation avoidance and litigation. He regularly provides valuable counsel to clients in New England and across the country regarding these issues.

Erik has extensive experience as a litigator, including successful first chair jury trial experience. He represents employers in federal and state courts and administrative agencies in matters involving discrimination claims based on race, sex, sexual preference, national origin, and disability; retaliation, whistle blowing, wage/hour claims and Department of Labor complaints; allegations of wrongful discharge and breach of contract under the common law; and claims for tortious injury, such as defamation, infliction of emotional distress and interference with advantageous relations. Erik has prevailed on the vast majority of dispositive motions filed on his clients' behalf, including several reported cases.

Erik's practice emphasizes advising employers regarding how to comply with the full range of federal and state labor and employment laws. This includes advising clients on issues relating to disability and leave management, reductions in force, wage and hour laws and workplace safety. Erik also drafts and negotiates executive employment and severance agreements on behalf of both employers and executives.

Erik speaks frequently regarding employment law issues. He joined the firm in 2000 after five years as a litigator at Fitzhugh & Associates (now Fitzhugh & Mariani, LLP), a litigation boutique with offices in Boston and Hartford, Connecticut. While attending law school, he was on the staff of the *Cardozo Arts & Entertainment Law Journal*.

Honors and Recognitions

- *The Best Lawyers in America*®, "Litigation - Labor and Employment" (2019-present)

Speaking Engagements

- "Life Cycle of a Key Employee Departure," Boston Bar Association's Virtual Conference: 2021 Trade Secrets & Restrictive Covenants Conference (Boston, MA, June 2021) (moderator)
- "Different Perspectives on Noncompete Policy and Necessity," Practising Law Institute (San Francisco, CA, January 2020) (speaker)

Published Works

- "Non-Competition Agreements: How to Stop Sales People From Leaving With Your Customers," *The Lumber Co-Operator* (February/March 2001) [Co-Author]