

New Jersey High Court to Decide Whether Employee Theft of Confidential Documents May Be Exempt from Prosecution

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March 19, 2014

The Supreme Court of New Jersey has agreed to decide whether employees who steal confidential documents from their employers to support whistleblower lawsuits are entitled to exemption from criminal charges stemming from the theft. *State v. Saavedra*, No. A-68-13 (certification granted Mar. 14, 2014).

An employee's taking company documents during the period leading up to or at the time of termination is a scenario familiar to many employers. The Court's decision could have far-reaching implications for employers weighing possible recourse for employee theft involving sensitive documents allegedly supporting a whistleblowing claim.

For additional information concerning this case, including an analysis of the lower court rulings, please see our article, [Criminal Prosecution for Employee's Theft of Employer's Documents May Proceed, New Jersey Court Rules](#).

We will monitor the case closely and will report on the Supreme Court's decision.

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