



Principal, Boston

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Practices

- Financial Services
- National Compliance and Multi-State Solutions
- Employment Litigation
- Restrictive Covenants, Trade Secrets and Unfair Competition
- Workplace Training
- Healthcare
- Life Sciences
- Technology
- Construction
- Real Estate
- Higher Education
- Sports

Education

- Yeshiva University Benjamin N. Cardozo School of Law, 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 co-leader of the firm's Restrictive Covenants, Trade Secrets and Unfair Competition practice group. His nationally recognized 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.

In over twenty-five years of practice, Erik has handled hundreds of matters for clients in dozens of industries across the country. In his primary practice area, he represents both employers and employees, from initial consultation and strategic concerns through litigation avoidance and negotiation to full litigation, including trials and appeals. On behalf of his employer clients seeking to enforce their restrictive covenants and protect against unfair competition, Erik has prevailed on dozens of requests for injunctive relief and collected over \$10,000,000 in judgments and settlements. On behalf of his employee and new employer clients, he has frequently negotiated resolutions without payments or restrictions, and avoided requests for injunctive relief.

Erik's experience litigating restrictive covenant matters in multiple jurisdictions allows him to assist clients in drafting policies and agreements that best protect their most important assets; their employees, customers and confidential information.

He writes and lectures frequently on issues relating to restrictive covenants, trade secrets and unfair competition.

In addition to his primary practice, 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, religion 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. He also drafts and negotiates executive employment and severance agreements on behalf of both employers and executives.

Erik is also a member of the Sedona Conference Working Group.

Honors and Recognitions

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

and “Employment Law – Management” (2025)

- *Thomson Reuters*, “Stand-Out Lawyers” (2023)
- *Massachusetts Super Lawyers®*, “Super Lawyers” (2023-present)

Speeches

- “Noncompetes and Restrictive Covenants 2024: What Every Lawyer, Human Resources Professional, and Key Strategic Decisionmaker Should Know,” Practising Law Institute (New York, NY, September 16, 2024) (speaker)
- “Noncompetes and Restrictive Covenants 2023: What Every Lawyer, Human Resources Professional, and Key Strategic Decisionmaker Should Know,” Practising Law Institute (New York, NY, September 28, 2023) (speaker)
- “Managing Liftouts: Legitimate Business Strategy or Unlawful Competition?” Practising Law Institute (September 30, 2022) (speaker)
- “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)