

Press Coverage | July 24, 2024

Federal Judge Refuses to Halt Noncompete Ban, Setting Up Potential Showdown in the Supreme Court

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Barbara T. Sicalides

Barbara Sicalides, a partner in Troutman Pepper's Business Litigation Practice Group, was quoted in the July 24, 2024 *Forbes* article, "[Federal Judge Refuses to Halt Noncompete Ban, Setting Up Potential Showdown in the Supreme Court.](#)"

Barbara Sicalides, an antitrust and competition matters partner at Troutman Pepper, noted that the Pennsylvania ruling could raise more issues, saying, "Although the Pennsylvania court limited its ruling to the plaintiff in the instant case, its decision adds further confusion to what has been, for some time, a muddled legal landscape for employers. The Texas court has stated that it will issue its decision on the merits by August 30, 2024, and, given its preliminary findings, it seems likely that the two courts will remain in conflict."

Sicalides continued, "Because the Texas court has also limited application of its preliminary injunction ruling to the parties before it and, in light of the short timeframe, employers have little choice but to prepare for the possibility that the FTC ban will become effective, and they will need to send the required notice by September 4, 2024. Most importantly, employers should review their existing agreements and ensure that they have protected to the extent possible their trade secrets and investments in employees through proper confidentiality and nonsolicitation agreements."

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