

## Jessica X.Y. Rothenberg

Counsel

New York

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### OVERVIEW

Jessica focuses her employment practice on three key areas: advice and counsel, corporate transactions, and litigation.

In terms of advice and counsel, Jessica counsels businesses on all aspects of employment policies and practices, including employee handbooks, employment agreements, restrictive covenants, disability accommodations, wage and hour compliance, independent contractor misclassification, and employment separations.

Her corporate transactions focus includes serving as an employment specialist on both buy-side and sell-side deals. Jessica conducts due diligence, negotiates purchase agreement language, and drafts employment agreements, restrictive covenant agreements, and other related deal documents. On the buy-side, she works with clients to identify employment-related red flags, quantify potential risks, and protect against potential liability.

In litigation matters, Jessica represents employers before federal and state courts and administrative agencies in cases involving allegations of employment discrimination, wrongful termination, breach of contract (including restrictive covenants), and wage and hour violations on an individual and class action basis.

### AWARDS

- *Best Lawyers in America®: Ones to Watch: Labor and Employment Law – Management* (2026)

### TOP AREAS OF FOCUS

- Class Action
- Employment Counseling
- Independent Contractor Misclassification + Compliance
- Labor + Employment
- Labor + Employment Litigation + Dispute Resolution
- Noncompete + Trade Secrets

### ALL AREAS OF FOCUS

- Class Action
- Employment Counseling
- Independent Contractor Misclassification + Compliance
- Labor + Employment
- Labor + Employment Litigation + Dispute Resolution
- Litigation + Trial
- Noncompete + Trade Secrets

## EDUCATION AND CERTIFICATIONS

### EDUCATION

- University of Pennsylvania Carey Law School, J.D., 2012, executive editor, *Journal of Law & Social Change*
- Harvard University, B.A., *cum laude*, 2008, history of art and architecture

### BAR ADMISSIONS

- California
- New York

## SPEAKING ENGAGEMENTS

- Panelist, "The Pivot in Workforce Management Practices for 2024 and Beyond," Marcum Events Webinar, May 21, 2024.
- Speaker, "A Hazy Landscape: Marijuana & the Workplace," 2023 MEA HR & Employment Law Conference, May 18, 2023.
- Speaker, "Challenges of Employees in Multiple or Remote Locations," 2022 MEA HR & Employment Law Conference, May 12, 2022.
- Speaker, "ACG New York Private Equity Roundtable," ACG New York, May 20, 2021.

## PUBLICATIONS

- Co-author, "New York Senate Passes First-in-the-Nation Bill Requiring Mandatory Review and Revocation Period for All Severance Agreements," *Troutman Pepper Locke*, March 5, 2025.
- Co-author, "Wide-Ranging New York Noncompete Law Awaits Governor's Signature," *Troutman Pepper*, June 30, 2023.
- Co-author, "COVID-19 Vaccination in the EU and the U.S.: The Employer Perspective," *EACCNY*, April 26, 2021.
- Co-author, "Potential Pitfalls with COVID-19 Vaccination Incentives," *Troutman Pepper*, March 4, 2021.
- Co-author, "Navigating Adapted Operations Advisory Series: Part Four – Continuing or Expanded Telework, Other Staffing Arrangements, and Workforce Restructuring," *Troutman Pepper*, October 1, 2020.
- Co-author, "The Effect of COVID-19 on Employee Benefits: Considerations in Italy and the United States," *EACCNY Labor Post-Pandemic Series*, September 25, 2020.