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Litigation Departments of the Year and In-House Impact Supplement

LITIGATION DEPARTMENTS OF THE YEAR LABOR AND EMPLOYMENT CATEGORY.

Clients ‘Define What a Win Looks Like,’ Sills Cummis Employment Law Chair Says

Sills Cummis & Gross is the Law Journal’s Litigation Department of the Year for labor and employment litigation. The below answers, provided by Patricia M. Prezioso, chair of the firm’s employment and labor practice group, were lightly edited for style and clarity.

What are some of the department’s most satisfying successes of the past year, and why?

The pandemic has caused significant pain to so many, and business owners and leaders have certainly encountered significant challenges. The remote work environment has led to an increase in occurrences of departing employees taking business sensitive data to their new employer, and using that data to unfairly compete. Employment lawyers have long facilitated policies and agreements most employees sign at onboarding to protect confidential information. Those agreements and policies are now being tested with varying state laws as well as the federal Defend Trade Secrets Act. Perhaps now more so than ever, employers need both guidance and advocacy to protect their businesses. With that, it has been very satisfying to be granted preliminary injunctive relief for one of our clients, in two separate matters in two different federal districts.

The coronavirus has brought big changes to law practice. What have been some of your department’s adaptations?

In counseling our clients, we know firsthand the critical nature of teamwork, mentoring, and being able to rely on each other to build the best strategy and to pursue meeting our client’s

needs with efficiency and excellence. In short, we communicate, and we communicate even when it is challenging to do so. We understand the need and advantage of face-to-face contact, and we learned and adapted to achieving the best substitute for in-person meetings. We leverage the technology available to us to be as efficient as possible, while never compromising the quality of work product to which our clients are accustomed. We continue to stay ahead of new regulations, laws, and CDC guidance, not only for our own internal use but for the integration of new information to our clients’ employees. We recognize COVID stress, and limit its power to interrupt, for ourselves and for our clients, and have found that knowledge, foresight and planning is the best way to do so.

The market for legal services has been changing since well before the pandemic. What does success require in this climate?

Success in any market requires the trust and confidence of our clients in our ability to protect their interests, and to be both efficient with resources and sensitive to business operations and interruption. Employees are the engine and the soul of every business, and employee claims and issues can be devastating. We define what a win looks like with our clients according to their priorities, and then we draw the map and execute our strategy to get there.

Litigators are extraordinarily busy people. What does the firm do to ensure that they remain engaged with pro bono work, their communities and their families?

Sills Cummis attorneys are encouraged to give back in ways that are meaningful to them. Our current hybrid work environment builds in even more flexibility for attorneys to be involved in organizations, causes, their communities and their families in more meaningful ways than ever before. In many instances, this flexibility benefits not only the attorney and the outside activity or cause, but our clients as well. Our communities and families are part of our self-care, and all of our employees are encouraged to prioritize.

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