

OF COUNSEL

BARRY J. WATERS

Barry J. Waters has extensive experience in a wide variety of commercial litigation cases, with an emphasis on employment, non-compete and trade secret litigation. He defends corporations in federal and state courts and in administrative agencies against employee claims involving discrimination based on age, sex, race, and disability; whistle-blowing; retaliation; and wrongful discharge. He also counsels employers on human resources policies and employment laws, including effective disciplinary and termination and separation strategies designed to avoid employment litigation.

Barry has extensive experience in counseling both the hiring company and the former employer in how to deal with potential and actual claims of breach of non-compete, non-solicitation, confidentiality and anti-piracy agreements, as well as claims of breach of the duty of loyalty and misappropriation of trade secrets. Barry has extensive litigation experience in handling cases involving these claims, both as counsel for the plaintiff and counsel for the defendant. While most of these cases are resolved at the injunction stage without a reported court opinion, Barry's reported non-compete and trade secrets cases include:

- Elm City Cheese Co. v. Federico, 251 Conn. 59 (1999) which he successfully argued on appeal after winning in the trial court;
- 3M v. Francavilla, 191 F. Supp. 2d 270 (D. Conn. 2002);
- United Rentals, Inc. v. Pruett, 296 F. Supp. 2d 220 (D. Conn. 2003);
- Risdon-AMS (USA), Inc. v. Levine, 2004 Conn. Super. LEXIS 580 (2004);
- Pop Radio, LP v. News America Marketing In-Store, Inc., 49 Conn. Supp. 566, 898 A.2d 863, 2005 Conn. Super. LEXIS 2982 (Sept. 15, 2005).

Recognition

- Listed as leading Labor & Employment lawyer in Chambers USA since 2005
- Listed in The Best Lawyers in America® since 2003
- Holds an AV® Preeminent™ Peer Rating from Martindale-Hubbell
- Fellow, College of Labor and Employment Lawyers, Inc. 2007-2018
- Fellow, American Bar Foundation
- Listed in Connecticut Super Lawyers® in the area of Employment Litigation, 2007 - 2019
- Listed in Connecticut Super Lawyers® as Top 50 Lawyer in Connecticut, 2019

Memberships

- American Bar Association; Individual Rights and Responsibilities Committee; Labor and Employment Section
- Connecticut Bar Association; Labor and Employment Law Section
- Past Chair, Lex Mundi*, Labor & Employment Practice Group

**Murtha Cullina is the exclusive Connecticut member of Lex Mundi, the world's leading association of independent law firms. Lex Mundi member firms are present in more than 160 countries, states and provinces. Our firm's membership in Lex Mundi provides us with global reach and access to legal resources that enhance our ability to serve our clients' needs around the world. Please visit the Labor and Employment Law Group web page of Lex Mundi at www.lexmundi.com.*



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BAR & COURT ADMISSIONS

Connecticut

Massachusetts

U.S. District Court, District of Connecticut

U.S. District Court, District of Massachusetts

United States Courts of Appeals for the First and Second Circuits

United States Supreme Court

EDUCATION

George Washington University, J.D.

University of Maryland, M.A.

Georgetown University, A.B.

PRACTICE AND INDUSTRIES

Covenants Not to Compete and Trade Secrets

Labor and Employment

Litigation

With more than 100 attorneys in six offices throughout Connecticut, Massachusetts and New York, Murtha Cullina LLP offers a full range of legal services to meet the local, regional and national needs of our clients. Our practice encompasses litigation, regulatory and transactional representation of businesses, governmental units, non-profit organizations and individuals.



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