

KIRSTEN M. GROSSMAN, ESQ.

Head of Restrictive Covenant Practice Group



Kirsten McCaw Grossman leads our Restrictive Covenant practice group and is an employment litigator with 20 years of experience. Ms. Grossman represents management clients exclusively in disputes before state and federal courts, FINRA (formerly NASD) and AAA arbitration proceedings, and administrative agencies (including state and federal EEO agencies and the Department of Labor). Additionally, Ms. Grossman regularly counsels clients on various employment law and benefits issues, including employee discipline and termination, harassment, family and medical leave issues, disability accommodation requests, reductions in force, protection of confidential information, wage and hour compliance, restrictive covenant enforcement, and unfair competition. Ms. Grossman prepares and reviews employment policies and procedures, negotiates and drafts employment contracts, confidentiality, restrictive covenants and separation agreements, conducts internal investigations of workplace issues and training for corporate employees and management. In addition to her employment experience, Ms. Grossman also has substantial complex commercial litigation and trial experience in both state and federal courts in New York and New Jersey. Ms. Grossman's commercial cases include intellectual property/copyright, contract, insurance defense, banking and securities practices and toxic tort.

HONORS AND AWARDS:

- New Jersey Super Lawyers, Employment & Labor (2013 - 2020, 2022)
- "Top 50 Women" Lawyers in New Jersey, Super Lawyers (2017)

The Super Lawyers® list is issued by Thomson Reuters. A description of the selection methodology can be found at http://www.superlawyers.com/about/selection_process.html. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

PROFESSIONAL ACTIVITIES:

- Labor & Employment Law Section, New Jersey State Bar Association
- Sidney Reitman Labor & Employment Law Inn of Court

RECENT SPEAKING ENGAGEMENTS:

- Restrictive Covenants: Both Sides of the Coin, Nukk-Freeman & Cerra, 2018 Hot Topics in Employment Law Seminar (November 2018)
- Restrictive Covenants: Both Sides of the Coin, Nukk-Freeman & Cerra, 2nd Annual Employment Law CLE Day (January 2018)

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RECENT SPEAKING ENGAGEMENTS (continued):

- Restrictive Covenants That Will Hold Up In Court, Nukk-Freeman & Cerra, Webinar (July 2017)
- Restrictive Covenants That Will Hold Up In Court, Nukk-Freeman & Cerra, Hot Topics in Employment Law Round Table (November 2015)
- Restrictive Covenants That Will Hold Up In Court, Nukk-Freeman & Cerra, PC, Webinar (July 2017)
- The New ADA Amendments, New Jersey Institute for Continuing Legal Education (November 2011)

RECENT PUBLICATIONS:

- Author, "Employer Arbitration Agreement Pointers from 2 Rulings", Law360 guest article (October 2020)
- Author, "U.S. Supreme Court Issues Ruling Extending Federal Job Protection to LGBTQ Employees - Bostock v. Clayton County, GA." L&E Blog, June 16, 2020, <https://www.nfclegal.com/u-s-supreme-court-issues-ruling-extending-federal-job-protection-to-lgbtq-employees-bostock-v-clayton-county-ga/>.
- Co-author, "Protected Activity" Continues to Broaden Under Sox", Corporate Counsel (March 2017)
- Co-author, ""Protected Activity" Continues To Broaden Under Sox", NAMWOLF Labor & Employment PAC, 2017 NAMWOLF Business Meeting
- Employers Can Prohibit Employees from Using E-Mail For Organizing, New Jersey Labor & Employment Law Quarterly (Spring 2008)

PROFESSIONAL EXPERIENCE:

- Bressler, Amery & Ross, Florham Park, NJ
 - Associate (September 2000-November 2008)
- Hardin, Kundla, McKeon, Poletto & Polifroni, Springfield, NJ
 - Associate (September 1998-September 2000)

JUDICIAL CLERKSHIP:

- Honorable Kenith D. Bloom (1997-1998)
 - New Jersey Superior Court, Essex County

EDUCATION:

- Seton Hall University School of Law (J.D., 1997)
- Wright State University (B.A., Magna Cum Laude, Political Science, 1994)

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ADMISSIONS:

- State of New Jersey (1998)
- State of New York (2000)
- U.S. District Court, District of New Jersey (2000)
- U.S. District Court, Eastern District of New York (2002)
- U.S. District Court, Southern District of New York (2002)
- U.S. Court of Appeals, Second Circuit (2008)

REPORTED OPINIONS:

- Dean Witter Reynolds v. Kevin Blackburn, 2002 WL 31233219 (N.A.S.D. Aug. 29, 2002)
- RBC Dain Rauscher v. Nowacki and Pryka, 2004 WL 1908044 (N.A.S.D. August 11, 2004)
- Tucker Anthony v. Angelo Roman, 2005 WL 773905 (N.A.S.D. March 10, 2005)
- Katchen v. Smith Barney, 2005 WL 1863669 (D.N.J. Aug. 3, 2005)
- Mannion v. Coors Brewing Co., 2007 WL 3340925 (S.D.N.Y. Nov. 7, 2007)
- Raia v. Illinois Tool Works, Inc., 2007 WL 4565139 (E.D.N.Y. Dec. 21, 2007)
- Mannion v. Coors Brewing Co., 530 F. Supp.2d 543 (S.D.N.Y. 2008)
- Gilbert L. West v. Prudential Insurance Company of America, 462 Fed. Appx. 170 (3rd Cir. November 18, 2011)