

(She/Her)

Principal, Atlanta

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Practices

- Distribution and Warehousing
- Employment Litigation
- Restaurants
- Restrictive Covenants, Trade Secrets and Unfair Competition
- Trials and Appeals
- Construction
- Real Estate
- Healthcare
- Technology

Education

- Emory University School of Law, J.D. 2005
- University of Michigan, B.A. 2002

Admitted to Practice

- Georgia - M.D. Ga. 2005
- Georgia - N.D. Ga. 2005
- Indiana - S.D. Ind. 2015
- Georgia 2005

Adriana R. Midence is a principal in the Atlanta, Georgia, office of Jackson Lewis P.C. and is a former co-leader of the firm's Women's Interest Network. Her practice includes employment and restrictive covenant matters.

Adriana's employment litigation experience includes serving as lead counsel in cases involving race, national origin, age, disability, religion, pregnancy, and sex discrimination; sexual harassment; and retaliatory discharge. Adriana has successfully tried cases involving such claims in federal and state court in Georgia and other states, such as Texas and Tennessee. Adriana has also represented employers in similar arbitrations, and before the EEOC and related state-level agencies. As a result of Adriana's litigation experience, she is also routinely asked by clients to provide advice and counsel on employment decisions and training on such issues with a goal of preventing claims and litigation.

Adriana's restrictive covenant and trade secret work includes representing employers seeking to enforce and/or invalidate agreements with non-compete, non-solicitation, anti-poaching, and non-disclosure covenants, as well as related claims regarding trade secrets, fiduciary duties, and computer fraud and abuse. In addition to litigating such claims, Adriana frequently advises clients on the use of restrictive covenant agreements in Georgia and on a multi-state or nationwide basis, and best practices for protecting trade secrets.

Recent and Notable Litigation Experience

- Co-lead trial counsel for the plaintiff in a trade secret misappropriation, unfair competition, and fiduciary duty case in Northern District of Georgia. Successfully obtained a jury verdict of \$2.5 million in compensatory and punitive damages.
- Co-lead trial counsel for the plaintiff in unfair competition case in Superior Court of Delaware. Successfully obtained an award of \$1.7 million.
- Co-lead trial counsel in a multi-plaintiff religious discrimination and retaliation case in Eastern District of Tennessee. Successfully obtained a complete defense verdict.
- Trial counsel in wrongful termination, tortious interference with employment case in the Eastern District of Texas. Successfully obtained a complete defense verdict.
- Trial counsel in disability and retaliation case in the Northern District of Georgia. Successfully defeated most claims and limited verdict to fraction of plaintiff's demand.
- Co-lead counsel in FMLA, disability discrimination arbitration matter. Successfully defeated most claims and limited award to fraction of plaintiff's demand.
- Lead counsel on appeal to Court of Appeals for the Eleventh Circuit. Successfully obtained order affirming dismissal of race discrimination and retaliation case on summary judgment.
- Successfully handled 20+ temporary and interlocutory injunctions hearings in multiple states, including Arizona, Delaware, Georgia, and California.

Adriana has appeared on CNN and 100.3 FM WIOD (Miami) to discuss discrimination and harassment in the workplace, workplace investigations, and retaliation issues.

While attending law school, Adriana clerked for Justice P. Harris Hines of the Georgia Supreme Court, was a managing editor of the *Emory International Law Review* and member of the Hispanic Law Society Moot Court Team.

Honors and Recognitions

- *The Best Lawyers in America*®, "Employment Law - Management" (2021-present)
- *Super Lawyers*®, "Rising Stars" (2011-2015)

Published Works

- "Georgia's New Law: Should I Change My Restrictive Covenants Now?" Legal Briefing (April 2011) [Author]
- "Possible Changes to Georgia's Restrictive Covenant Law," Legal Briefing (February 2010) [Author]
- "A Risky New Trendy: Replacing Employees with Independent Contractors," *Workforce Management* (November 2009) [Author]

Speeches

- "Drafting and Implementing Restrictive Covenants Under Georgia's New Law," State Bar of Georgia, Young Lawyers Division annual Employer Problems and Solutions CLE, February 2012
- "Covenants Not to Compete: A Post-Election Update," Atlanta Bar Association, March 2011
- "Classifying Workers—Employee or Independent Contractor," Society of Human Resource Management, May 2010
- "Employment Law 101," Latina Women's Business Association, May 2010