FORDHARRISON

MARK A. SALOMAN

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Mark Saloman serves as the Office Managing Partner for FordHarrison's Berkeley Heights office and as Co-Chair of FordHarrison's Non-Compete, Trade Secrets and Business Litigation practice group. Mark Saloman extensively litigates and counsels businesses and executives on the meaning, drafting, and enforceability of various types of post-employment restraints such as non-compete agreements, non-solicitation provisions, confidentiality agreements, and other restrictive covenants.

For more than 30 years, he has successfully litigated these types of cases in more than 20 states and tried them to conclusion in state and federal courts. Mark also negotiates all types of employment and separation agreements for companies as well as senior executives. Mark is a "Recognized Partner" for Labor & Employment with Chambers USA, named a New York Area Top Rated Lawyer by ALM Media, and recognized by New Jersey Super Lawyers. He has also been honored for his *pro bono* efforts in the community.

Mark's practice also concentrates on complex employment litigation at the state and federal levels, encompassing wrongful termination, employment discrimination arising under Title VII and similar state statutes, sexual harassment, hostile work environment, constructive discharge and retaliation claims, and whistleblower actions. He provides peace of mind for clients throughout the country on all aspects of employment law, including discharge, discipline and other personnel problems, internal investigations, and leave of absence issues. Mark frequently works with national and international clients in the pharmaceutical, education, technical staffing, and fashion industries.

Mark also advises national and international companies on the ever-changing state laws concerning employee use of medicinal and recreational marijuana. This counseling includes addressing employee reasonable accommodation requests for use of medicinal cannabis, employee claims of wrongful discipline or termination, pre- and post-employment drug testing, and other unique

EDUCATION

- University of Pennsylvania Law School (J.D., 1992)
- Brandeis University (B.A., *summa cum laude*, 1989)

BAR ADMISSIONS

- New Jersey
- New York
- Pennsylvania

COURT ADMISSIONS

- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. District Court for the District of New Jersey
- U.S. District Court for the Northern District of New York
- U.S. District Court for the Eastern District of New York
- U.S. District Court for the Southern District of New York
- U.S. District Court for the Middle District of Pennsylvania
- U.S. District Court for the Eastern District of Pennsylvania
- U.S. District Court for the

challenges affecting the entire life cycle of the employment relationship.

Representative Experience

- Successfully defended senior-level New York financial services executive from his post-employment restrictive covenants by defeating temporary restraining order application and then defeating preliminary injunction application after an eight-day arbitration.
- Obtained temporary restraining order and preliminary injunction from the Superior Court of New Jersey stopping former senior finance executive of a major residential real estate services provider from working for a direct competitor, despite his argument he was working outside the geographic scope of the restrictive covenant.
- Won one of the first temporary restraining orders in the country under the Defend Trade Secrets Act of 2016, compelling former employee of high-tech company to return pilfered laptop and other confidential information after his separation.
- Won summary judgment in New Jersey state court for Fortune 300 pharmaceutical company, defeating claims brought by two sales representatives under the Conscientious Employee Protection Act.
- Successfully defeated temporary restraining order application and won fee application reimbursing Fortune 550 airline for frivolously filed action by its union.
- Successfully obtained preliminary and permanent injunctive relief enforcing post-employment restrictive covenants against former employee of internet retailer.
- Won motion to dismiss race discrimination claims brought against individual supervisor in federal court in New York.
- Successfully defended sales manager in New Jersey federal court from former employers' attempt to stop manager from working for a competitor in the specialty chemicals industry.
- Obtained temporary restraining order from the Supreme Court of New York shutting down rival company's U.S. product launch due to breach of commercial non-disclosure agreement and former senior executive's violation of post-employment non-compete obligations.
- Stopped competitor's application in New Jersey federal court for a preliminary injunction enforcing former sales employee's non-compete agreement.

Western District of Pennsylvania
- U.S. District Court for the District of Colorado
- U.S. District Court for the District of Vermont
- U.S. District Court for the Eastern District of Wisconsin

FIRM LEADERSHIP

- Berkeley Heights Office Managing Partner
- Management Group
- Non-Compete, Trade Secrets and Business Litigation Practice Group, Co-Chair

- Defeated international modeling agency's demand for temporary and preliminary injunction on former modeling agent's activities.
- Obtained injunctive relief before the Supreme Court of New York, stopping the former chief operating officer of a chain of high-end food and retail stores from soliciting or hiring his former employer's employees.
- Served as lead trial counsel in an adversary proceeding in federal bankruptcy court in Delaware to advance the sale of a shopping-center security firm by winning a preliminary injunction to protect the company's chief asset, its customer relationships, from poaching by an ex-senior executive.
- Earned a significant victory for a leading global financial-services firm when the Supreme Court of New York granted summary judgment and dismissed years of contentious litigation over an ex-employee's claims of religious discrimination, hostile work environment, and retaliation.
- Obtained a defense verdict, after an eight-week jury trial in California, in favor of a national medical-devices manufacturer against allegations of "corporate raiding" brought by a competitor. The defense verdict was the 14th lawsuit filed against the client or its employees in 10 different states. After defeating seven emergent applications for injunctive relief, Mark was instrumental in forcing the competitor to drop 13 pending lawsuits before the jury resolved the 14th in the client's favor.
- Won summary judgment in favor of a global human capital firm dismissing former manager’s federal, state, and New York City claims of race and age discrimination and retaliation.
- Obtained defense verdict after a jury trial and affirmance from the Third Circuit Court of Appeals in favor of a global industrial gas supplier on its former general counsel’s breach of contract claims.
- Obtained defense verdict for international hotelier on former employee’s federal, state, and New York City claims of national origin discrimination and retaliation after five-day federal jury trial.
- Successfully defeated a temporary restraining order application seeking to enjoin a junior New York financial services executive.
- Successfully defeated declaratory judgment action seeking to void construction certification firm’s post-employment restrictive covenants with its former head of business development.

Honors & Awards

- AV® Preeminent Peer Review Rated by Martindale-Hubbell
- "2023 New York Top Rated Lawyer," *New York Law Journal* and *New York Magazine.*
  - *The selection methodology is found here. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*
- "Client Service All-Star," BTI Consulting Group (2023)
  - *The selection methodology is found here. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*
- *Chambers USA: America's Leading Lawyers for Business,* Labor & Employment
  - *The selection methodology is found here. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*
- *The Legal 500 United States*, Recommended attorney in Labor & Employment - Labor and Employment Disputes (2020)
  - *The selection methodology is found here. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*
- "500 Leading U.S. Corporate Employment Lawyers," *LawDragon* (2020-2024)
  - *The selection methodology is found here. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*
- *Best Lawyers in America* - Employment Law (2018-2027), Litigation (2020-2027)
  - *The selection methodology is found here. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*
- *Best Lawyers in the New York Area* – Employment Law, 2019, 2021
  - *The selection methodology is found here. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*
- Labor & Employment Star - Northeast*, Benchmark Litigation* (2019-present)

- *The selection methodology is found here. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*

- New Jersey Super Lawyers, *Super Lawyers* magazine, 2013-present
  - *Mark was selected to the Super Lawyers list issued by Thomson Reuters. The selection methodology is found here. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*
- New York State Bar Association Empire State Counsel Award, 2014-15
  - *The selection methodology is found here. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*
- New Jersey Defense Association Outstanding Service Award, 2012-13
  - *The selection methodology is found here. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*
- "40 Under 40," *New Jersey Law Journal*, 2007
  - *The selection methodology is found here. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.*
- DRI Exceptional Performance Citation, 2012-13

Memberships

- Employers Association of New Jersey, General Counsel
- New Jersey State Bar Association Labor and Employment Law Section, Executive Committee Member and Co-Chair of Post-Employment Restrictions Subcommittee
- Defense Research Institute, Member of Intellectual Property Litigation Committee and Vice Chair of Trade Secrets Subcommittee
- New Jersey Defense Association, Past President and member of the Board of Directors
- National Ski Areas Association
- Ski Areas of New York Association
- Academy of New Jersey Management Attorneys
- Risk and Insurance Management Society (RIMS)

- Federation of Defense & Corporate Counsel
- New Jersey Civil Justice Institute
- New Jersey Supreme Court Model Civil Jury Charge Committee
- Sidney Reitman Employment Law Inn of Court, Barrister
- Brandeis University Alumni Lawyers Network Steering Committee
- American Bar Association

News & Insights

- SourceBook - Co-Editor, FordHarrison's Labor & Employment Law Sourcebook, Employment Contracts and Noncompete Agreements
- October 05, 2026 - Six FordHarrison Partners Named to Lawdragon's 500 Leading Corporate Employment Lawyers Guide for 2027
- August 18, 2026 - Virtual Termination Meetings and AI: When Skynet Does Not Stop
- June 10, 2026 - Noncompete News: Delaware Courts May Reject Choice-Of-Law Provisions in Contract in Favor of the State With the Strongest Ties to the Case
- March 24, 2026 - Two New Jersey-Based FordHarrison Attorneys Listed as 2026 New Jersey Super Lawyers and One Listed as Rising Star

Events

- December 10, 2026 - New Jersey Employment Law Update 2026: Ensuring Compliance in a Shifting Landscape
- December 04, 2025 - New Jersey Employment Law Update: Ensuring Compliance in a Shifting Landscape
- December 13, 2023 - 2023 New Jersey Employment Law Update

Offices

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