James M. Witz

Shareholder
Co-Chair, Unfair Competition and Trade Secrets Practice Group

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Practice Areas

Unfair Competition and Trade Secrets
Litigation and Trials
Discrimination and Harassment
HR Advice and Counsel

Overview

James M. Witz is a trial lawyer who has experience with a wide range of employment issues. He is widely recognized for his knowledge in the area of non-competition and trade secret disputes, and cases involving emergency and injunctive relief. He is the co-chair of the firm's Unfair Competition and Trade Secret Practice.

Jim has obtained multiple seven figure trial verdicts in high-profile trade secret and restrictive covenant cases in courts around the United States. Jim successfully argued a trade secret matter before a Florida state court jury receiving a total judgment of approximately $2.4 million. In addition, he secured a $1.9 million verdict after a bench trial before the U.S. District Court for the Northern District of Illinois. In addition, in 2015, after a one week jury trial, Jim obtained a $2.1 million verdict in Minnesota state court on behalf of his client, one of the largest verdicts ever awarded in a restrictive covenant matter in that state, as well as an award of attorneys' fees. The case was settled prior to appeal with payment of the judgment in full as well as substantial attorneys' fees.

Jim routinely handles significant emergency and preliminary injunction matters, including some of the more notable restrictive covenant and trade secret matters that have been filed in Illinois for both the prosecution and defense side. For example, on

behalf of a Fortune 500 company, Jim successfully obtained emergency injunctive relief in Illinois state court against a departing top executive based on trade secret, fiduciary duty and restrictive covenant claims, including claims under both Texas and Illinois law. Similarly, Jim successfully defended restrictive covenant and trade secret claims on behalf of a senior executive of one of the nation's largest data companies, obtaining both a denial of a request for preliminary injunctive relief and also a dismissal order invalidating the executive's restrictive covenant agreement.

Jim has argued restrictive covenant and trade secret matters before the nation's higher courts as well, obtaining rulings that have been frequently cited in subsequent opinions. Jim successfully convinced the 5th Circuit Court of Appeals that a Texas district court had misapplied applicable Texas trade secret law as well as the federal standard for injunctive relief and obtained an order reversing the District Court's denial of a preliminary injunction.

Jim's clients have included some of the nation's largest and most successful companies, as well as smaller businesses and start-ups in a variety of industries, including insurance brokerage, data and advertising, printing, professional services and consulting, staffing and recruiting, large equipment manufacturing, medical devices and technology, software and food service and ingredients.

Furthermore, Jim counsels clients throughout the country regarding employee hiring, termination and related matters, including the drafting and implementation of effective employment agreements, confidentiality policies and restrictive covenants. He has led internal investigations of senior employees for multiple clients.

Jim is a frequent speaker on restrictive covenant and trade secret matters, and has authored or contributed commentary on such matters for leading legal publications.

Complementing his unfair competition and trade secrets practice, Jim also has extensive experience in commercial employment litigation and contract matters, as well as in more standard employment litigation claims involving:

- Title VII of the Civil Rights Act
- The Age Discrimination in Employment Act (ADEA)
- The Americans with Disabilities Act (ADA)
- The Family and Medical Leave Act (FMLA)
- The Fair Labor Standards Act (FLSA)

Recognition

- Named, The Best Lawyers in America®, 2025-2027
- Named, Stand-Out Lawyer, *Thomson Reuters*, 2023-2024
- Recipient, Haight, Brown and Bonesteel Award, *UCLA School of Law*

Education

J.D., University of California, Los Angeles School of Law,
B.A., Wesleyan University,

Bar Admissions

Illinois
Colorado

Courts

U.S. Court of Appeals, 7th Circuit
U.S. District Court, Northern District of Illinois

Publications & Press

The Global Guide Quarterly (Quarter 3, 2026)
Littler Global Guide Quarterly
October 21, 2026

92 Percent of Employers Lost Workers to Competitors. Many Took More Than Their Talent
Inc.
September 17, 2026

How Employers are Enforcing Non-Compete and Confidentiality Agreements
Littler Report
September 15, 2026

When Entire Teams Walk: How CEOs Should Prepare For Group Lift-Outs
Chief Executive
June 5, 2026

The Littler Annual Employer Survey 2026
Littler Report
May 6, 2026

Employers Brace for AI-Driven Workplace Shifts and Rising Risk, Littler's Annual Survey Shows
Press Release
May 6, 2026

FTC Steps Back from Noncompete Ban: What's Next?
HRO Today
September 17, 2025

Noncompetes under pressure: Experts say tailored strategies are key in 2025
Reuters

June 23, 2025

The Littler Annual Employer Survey 2025
Littler Report
May 7, 2025

U.S. Employers Expect Significant Impact From Regulatory Shifts on Immigration and Inclusion, Equity & Diversity, Littler Survey Shows
Press Release
May 7, 2025

Littler Team Secures A Quick Preliminary Injunction for CyberCoders
Press Release
April 30, 2025

The Global Guide Quarterly (Quarter 2, 2024)
Littler Global Guide Quarterly
July 24, 2024

The Littler Annual Employer Survey 2024
Littler Report
May 8, 2024

Employers Expect Increased Regulatory Enforcement Amid Legislative Slowdown in Election Year, Littler Survey Finds
Press Release
May 8, 2024

Non-compete agreements – are employers already making their own minds up?
TLNT
April 29, 2024

FTC Issues Final Rule Effectively Banning Workplace Non-Compete Agreements
Littler ASAP
April 23, 2024

Businesses face 'seismic shift' after FTC bans noncompetes. Here's what they should do next
American City Business Journals
April 23, 2024

FTC Bans Most New Noncompete Agreements Nationwide
SHRM Online
April 23, 2024

Delaware Supreme Court Upholds Forfeiture for Competition Provisions, Holding Departed Partners Bargained Away Their Right to Have Their Cake and Eat It, Too
Littler ASAP
February 6, 2024

The year in unfair competition and trade secrets: 2023 developments and what is on the horizon for 2024
Westlaw Today
January 23, 2024

The Year in Unfair Competition and Trade Secrets: 2023 Developments and What Is on the Horizon for 2024
Littler ASAP
December 20, 2023

Pending noncompete ban raising concerns
Business Insurance
February 1, 2023

FTC proposed ban on noncompetes may face strong resistance
Business Insurance
January 17, 2023

FTC Proposes a Ban on Noncompetes in Employment Contracts
WorldatWork
January 12, 2023

6 Things Cos. Should Do Following FTC Noncompete Proposal
Law360
January 12, 2023

FTC Proposes Rule Banning Non-Competes
Littler ASAP
January 5, 2023

A Veritable Blizzard of Litigator of the Week Runners-Up and Shout Outs
The American Lawyer
December 23, 2022

The Trend Continues: Illinois Imposes Additional Prerequisites and Restrictions on Employers' Use of Restrictive Covenants
Littler ASAP
August 18, 2021

President Biden Seeks to Regulate (and Potentially Ban) Non-Competes
Littler ASAP
July 9, 2021

Littler Appoints New Practice and Industry Group Chairs
Press Release
October 14, 2020

Time to Reassess Employee Nonsolicitation Clauses in Calif.
Law360
February 9, 2019

Unfair Competition: What Happened in 2018, and What's in Store for 2019
Littler ASAP
February 8, 2019

Second California Court Adopts Position that Employee Non-Solicitation Clauses Are Invalid Restraints on Trade
Littler ASAP
January 24, 2019

Wis. Man Pleads Not Guilty To Trade Secrets Theft
Law360
July 25, 2017

What Employers Should Know About New Ill. Noncompete Law
Law360
September 23, 2016

Overreaching Noncompetes Criticized in New York and Illinois
SHRM Online
September 9, 2016

New Non-Compete Law Regarding Low-Wage Workers Passes in Illinois
Littler ASAP
August 31, 2016

Littler Appoints Two New Practice Group Chairs
Press Release
July 25, 2016

Federal Court Split on Consideration Needed to Enforce a Restrictive Covenant in Illinois Remains Unresolved
Littler ASAP

July 16, 2015

Illinois Appellate Court Finds Insufficient Consideration Where Employer Relied on Under Two Years Employment in Support of Noncompetition and Nonsolicitation Agreements
Littler ASAP
July 18, 2013

James (Jim) Witz Joins Littler In Chicago
Press Release
December 18, 2012

The importance of computer forensics in trade-secret litigation
Westlaw Journal Intellectual Property
October 17, 2012

Drafting and enforcing restrictive covenants: Important dos and don'ts
Westlaw Journal Intellectual Property
August 22, 2012

Non-Competition and Trade Secret Advisor
Firm Newsletter
December 16, 2010

Non-Competition and Trade Secret Advisor
Firm Newsletter
May 25, 2010

Sunbelt Rentals: Are Restrictive Covenants Becoming More Enforceable in Illinois?
FlashPoint Series
April 1, 2010

Events & Speaking Engagements

2025 Rocky Mountain Regional Employer Conference
Denver, CO
October 10, 2025

AI in Organizations: Working Session on Best Practices for HR Leaders
Denver, CO
April 16, 2025

2024 Rocky Mountain Regional Employer Conference
Denver, CO
October 18, 2024

Everything You Need to Know About the FTC's Final Rule on Noncompetes in 30 Minutes
April 25, 2024

Are Restrictive Covenants and Trade Secrets in Jeopardy? Updates and a Practical Plan for the Future
Littler Executive Employer Conference, Phoenix, AZ
May 11, 2023

Seven Key Developments and Recommendations Affecting Your Restrictive Covenant Agreements and Unfair Competition Strategy
May 11, 2017

Unfair Competition Litigation and Electronic Information: Proactive Measures to Protect Your Secrets and Navigate Electronics
Chicago, IL
March 5, 2014

Safeguarding The Secrets of Your Success: Latest Developments in Trade Secret and Non-Competition Law
Firm Presentation, Chicago, IL
September 22, 2011