



Julie Levinson Werner

Partner

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Clients turn to Julie for strategic advice that addresses the potentially wide-ranging impact of employment matters. She serves a dual role as both employment law counselor and litigator, considering the employment actions of a business from every possible angle.

Julie handles employment counseling and litigation for clients—from startups to public companies—in a wide variety of sectors, including technology and life sciences entities. Her counseling practice spans a variety of human resources issues facing employers, such as hiring and recruiting, worker classification, employee terminations, personnel policies, wage and hour matters, and compliance with state and federal EEO requirements. Julie regularly conducts, directs, and advises on workplace investigations involving whistleblower allegations, discrimination, and harassment. She also advises employers on employee mobility issues, including trade secret matters and restrictive covenants. Julie often provides training on discrimination/harassment and managing employees within the law, and she assists with the employment-related aspects of mergers and acquisitions transactions.

When counseling matters result in litigation, Julie is a zealous advocate for her clients. She represents employers in litigation matters in federal and state courts on a wide variety of claims, including harassment and discrimination, wrongful termination, trade secret theft, and unfair competition. In addition to handling court trials and arbitrations, she also has extensive mediation experience, as well as experience with administrative proceedings before the EEOC and state agencies. Julie successfully argued *Silvestri v. Optus Software, Inc.*, 175 N.J. 113 (2003), before the New Jersey Supreme Court, in which the court ruled in the employer's favor and held that in satisfaction contracts, it is the employer's subjective business judgment that determines whether the employer is satisfied with the employee's performance.

A frequent contributor to trade publications and client newsletters, Julie has written numerous articles emphasizing litigation-avoidance strategies for employers.

EXPERIENCE

- > Regularly counsels New York-based startups and other corporate clients on employment law compliance.
- > Successfully defended \$6.5 million breach of contract lawsuit against investment management firm and prosecuted counterclaims against former executive for breach of loyalty. The matter resulted in our client making no settlement payments and the plaintiff making a payment to our client.
- > Obtained defense jury verdict for prominent real estate investment trust in disability discrimination and retaliation trial.
- > Achieved summary judgment in favor of internationally recognized cosmetics company in connection with former employee's claims of disability discrimination.
- > Obtained and defended against multiple applications for injunctive relief on restrictive covenant agreements.
- > Represented a national insurance company in litigation challenging the prior settlement of hundreds of employment discrimination claims.
- > Obtained a directed verdict at the close of the plaintiff's evidence at a jury trial on behalf of a small pharmaceutical company involving allegations of reverse race discrimination and a hostile work environment.
- > Regularly counsels on and resolves difficult employment disputes for clients in matters alleging workplace harassment, discrimination, and wrongful termination.

HONORS & AWARDS

- > **New Jersey Super Lawyers (2013-2019)**
Recognized for work in Employment & Labor: Employer and Employment Litigation: Defense

NEWS & INSIGHTS

Publications

- > October 21, 2020

"How Can I Get My Employees to Return to Work During a Pandemic and Not Get Sued?," *Employment Counseling & Litigation Client Alert*

Julie Levinson Werner, Lauren M. Hollender

> September 17, 2020

"New York Mandates Statewide Sick Leave," *Employment Counseling & Litigation Client Alert*

Julie Levinson Werner, Amy C. Schwind

> August 20, 2020

"New Jersey Supreme Court Clarifies Procedures for Implementing Employee Arbitration Agreements," *Class Action Litigation and Employment Counseling Client Alert*

Joseph A. Fischetti, Julie Levinson Werner

> June 16, 2020

"Long Overdue: U.S. Supreme Court Holds Title VII Protects Gay and Transgender Employees," *Employment Counseling & Litigation Client Alert*

Julie Levinson Werner

> April 30, 2020

"What to Expect When You're Expecting to Reopen," *Employment Counseling & Litigation Client Alert*

Julie Levinson Werner, Lauren M. Hollender

> April 20, 2020

"Before You Cut Your Employees' Wages—Antitrust for Employers in the Age of COVID-19," *Antitrust and Employment Client Alert*

Jeffrey Blumenfeld, Julie Levinson Werner

> April 13, 2020

"First Employee Lawsuit Filed Seeking to Avoid the Workers' Compensation Exclusivity Bar for COVID-19-Related Injuries," *Insurance and Employment Client Alert*

Lynda A. Bennett, Julie Levinson Werner, Mark S. Heinzelmann

> March 23, 2020

"Will Companies Have Insurance Coverage for Employment Decisions Flowing From COVID-19?," *Insurance Recovery Client Alert*

Michael D. Lichtenstein, Joseph M. Saka, Julie Levinson Werner

> January 22, 2020

"Significant Amendments Enacted to New Jersey's WARN-related Act," *Lowenstein Sandler Client Alert*

Julie Levinson Werner, Jeffrey Cohen, Amy C. Schwind

> November 21, 2019

"New Jersey Following California's Lead? Changes for Independent Contractor Classification Coast to Coast," *Employment Counseling & Litigation Client Alert*

Julie Levinson Werner, Amy C. Schwind

> 3Q 2019

"Legal and Practical Considerations for Remote Employees," *CRF News*

Julie Levinson Werner, Lauren M. Hollender

> September 16, 2019

"Is Your California Worker an Employee or an Independent Contractor?," *Employment Counseling & Litigation Client Alert*

Julie Levinson Werner, Chandra K. Shih

> August 14, 2019

"Sweeping Changes Under New York State Anti-Discrimination Law," *Employment Counseling & Litigation Client Alert*

Julie Levinson Werner

> August 8, 2019

"Wage and Hour Compliance Update for New Jersey Employers," *Employment Counseling & Litigation Client Alert*

Julie Levinson Werner

> June 2019

"Navigating Parental Leave," *Wells Fargo Prime Services Industry and Regulatory Updates*

Julie Levinson Werner, Lauren M. Hollender

> April 1, 2019

"New Jersey Employers May Not Discriminate Against Medical Marijuana Users And May Have Duty To Accommodate," *Employment Counseling & Litigation Client Alert*

Julie Levinson Werner, Lauren M. Hollender

> February 22, 2019

"Governor Phil Murphy Signs Expansive New Jersey Family Leave Bill Into Law," *Employment Counseling & Litigation Client Alert*

Lauren M. Hollender, Julie Levinson Werner

> October 2, 2018

"New York State Sexual Harassment Training Deadline Extended," *Employment Counseling & Litigation Client Alert*

Julie Levinson Werner, Lauren M. Hollender

- > September 28, 2018
"New York Employers: Don't Miss the Oct. 9 and Jan. 1 Deadlines to Comply With New York State's Sexual Harassment Prevention Law!," *Employment Counseling & Litigation Client Alert*
 Julie Levinson Werner, Lauren M. Hollender
- > May 24, 2018
"Class Action Arbitration Waivers: U.S. Supreme Court Rules for the Employer," *Employment Counseling & Litigation Client Alert*
 Julie Levinson Werner
- > November 15, 2017
"Have You Conducted Workplace Anti-Harassment Training Yet?," *Employment Counseling & Litigation Client Alert*
 Julie Levinson Werner
- > October 1, 2017
"US Supreme Court to Determine Whether Workers Waive Class Action," *Forbes Tech*
 Julie Levinson Werner, Ed Zimmerman
- > September 18, 2017
"Breaking News: Is California's Law on NonSolicits Changing After Rocine vs. Fidelity?," *Forbes Tech*
 Anthony W. Raymundo, Julie Levinson Werner, Ed Zimmerman
- > May 5, 2017
"A Question of the Past: How Much Did You Make at Your Last Job?...", *Employment Counseling & Litigation Client Alert*
 Julie Levinson Werner
- > November 23, 2016
"Big News on the Wage and Hour Front," *Employment Counseling & Litigation Client Alert*
 David M. Wissert, Julie Levinson Werner
- > August 18, 2016
"It's Time to Examine Your Separation and Release Agreements (Again)," *Employment Counseling & Litigation Client Alert*
 Julie Levinson Werner
- > July 8, 2016
"Protecting Your Trade Secrets in 2016," *New Jersey State Bar Association, Business Law Section Newsletter*
 Julie Levinson Werner
- > May 18, 2016
"Big Changes in the Wage and Hour Landscape," *Employment Counseling & Litigation Client Alert*
 Julie Levinson Werner
- > April 11, 2016
"Additional Obligations for New York Employers Coming Down the Pike: Paid Family Leave and Higher Minimum Wage," *Employment Counseling & Litigation Client Alert*
 Julie Levinson Werner
- > March 30, 2015
"Ban the Box Laws: Is Your Company Compliant?," *SterlingBackcheck*
 Julie Levinson Werner

In the Media

- > May 8, 2020
 In **Inc.**, **Julie Levinson Werner** discusses how businesses should plan to reopen and stay open post-COVID-19. She recommends training staff on new cleaning and health protocols such as temperature-taking, in addition to rethinking where workers sit in relation to each other. She warns, "Companies that don't outline these new protocols clearly could face official complaints and reputational damage."
- > March 9, 2020
 Lowenstein's representation of **Computershare Limited** in entering into a binding agreement to acquire the business and assets of Corporate Creations Enterprises LLC is noted in the **Global Legal Chronicle**. The Lowenstein team included **Jonathan C. Wishnia, Eric Swartz, Bianka V. Barraza, Madeline Roe, Brian A. Silikovitz, Kristin V. Taylor, Julie Levinson Werner, Megan Monson, Taryn E. Cannataro, Stuart S. Yusem, Bryan Sterba, Jenna-Marie Tracy, Matthew P. Hintz, Matthew M. Oliver, Michael T. G. Long, Michael C. Townsend,** and **Eric Jesse**.
- > January 6; January 24, 2020
 Lowenstein's role representing independent private equity firm **NexPhase Capital, LP** in its newly announced strategic partnership with DealerOn, Inc., a leading website and digital marketing company serving the retail automotive industry, was mentioned in **citybizlist, Automotive News, The Banks Report, Cision PR Newswire,** and **AutoSuccess**. The Lowenstein deal team included **Christopher C. Henry, Andrew P. Erdmann, Alexander Brooks, Matt Savare, Theodore C. Sica, Michael Walutes, Julie Levinson Werner, Eric Jesse, Megan Monson, Bianka V. Barraza, Chelsea P. Ferrette, Carly S. Penner, Bryan Sterba, Matthew Tippy, Vikram Paul,** and **Serena Ward**. **View Lowenstein's news announcement about this transaction.**

- > January 10, 2020
Julie Levinson Werner is quoted in **New Jersey Business** discussing best practices to prevent workplace violence. Werner advises that companies take preventive measures to ensure they are not being negligent. Werner states, "Be proactive. ... If you don't do a background check, you don't necessarily know who you're hiring." She further notes that "we have a duty to have a safe workplace. Background checks are a good thing."
- > December 4-6, 2019
 Lowenstein's representation of **NexPhase Capital, LP** in its agreement to sell Flexible Architecture & Simplified Technology, LLC, to Verisk Analytics, Inc., is noted in **Cision PR Newswire, Law360, Bloomberg Law – Big Law Business, TMCNet.com**, and the **Global Legal Chronicle. Law360** specifically mentions **Christopher C. Henry, Michael Walutes, and Kimber Hargrove**. The Lowenstein deal team included **Christopher C. Henry, Zarema A Jaramillo, Marc S Kurzweil, Jack Sidorov, Michael Walutes, Julie Levinson Werner, Bianka V. Barraza, Bettina C. Elstroth, Katie R. Glynn, Kimber Hargrove, Amanda C. Lutick, Stefanie Manna, and Megan Monson.** (*subscription required to access certain content*) **View Lowenstein's news announcement about this transaction.**
- > November 11; November 14, 2019
 Lowenstein Sandler's representation of **ZMC** in its investment in **CommentSold, Inc.** is noted in **The PE Hub Network, Business Wire, Financial News**, and the **Global Legal Chronicle**. The Lowenstein team included **Steven E. Siesser, Lesley P. Adamo, Elisia M. Klinka, Darren Goodman, Julie Levinson Werner, Anita L. Chapdelaine, Nicole Rae Morales, Nicole Stefanelli, Megan Monson, Eric Jesse, Sophia Mokotoff, Carly S. Penner, Bryan Sterba, Manali Joglekar, Mark P. Kesslen, Daniel A. Suckerman, Kimberly E. Lomot, and Doreen M. Edelman.** **View Lowenstein's news announcement about this transaction.**
- > October 3-7; November 8, 2019
 Lowenstein's representation of NexPhase Capital in its investment in Popcornopolis was reported in **Business Wire**, the **Valdosta Daily Times, Bloomberg Law – Big Law Business, The Tullahoma Tennessee News, Mergers & Acquisitions**, and the **Global Legal Chronicle**. The Lowenstein team included **Christopher C. Henry, Michael Walutes, Matt Savare, Vanessa A. Ignacio, Julie Levinson Werner, James C. Shehan, Eric Jesse, Sabrina Cua, Bryan Sterba, Megan Monson, and Lauren M. Troeller.** **View Lowenstein's news announcement about this transaction.**
- > August 2, 2019
Julie Levinson Werner comments in a **WHYY** article discussing a case pending before the New Jersey Supreme Court that addresses whether an employee with cancer may bring a disability discrimination claim against his employer for terminating him after he tested positive for medical marijuana. Earlier this year, a New Jersey appeals court found that the employee set forth a claim against the company for disability discrimination. In commenting about medical marijuana use by employees, Werner states, "If they're impaired during the day while they're working, certainly that's of concern. [But] I think really companies are focused on whether or not employees can do their jobs."
- > March 20; April 1; May 22, 2019
 Lowenstein Sandler's role as legal counsel to Medalist Partners, LP in its acquisition of a majority stake in JMP Credit Advisors LLC was mentioned in **SCNow, Finger Lakes Times, The Financial Times, Business Wire, Bakersfield.com, MarketScreener.com**, and the **Global Legal Chronicle**. (Lowenstein deal team: **Edward S. Nadel, Christopher C. Henry, Jonathan C. Wishnia, Julie Levinson Werner, and Robert J. Menendez.**) **View Lowenstein's news announcement about this transaction.**
- > January 2-7; May 8, 2019
 Lowenstein's 2019 promotion of seven lawyers to partner and six to counsel (including three women in each category) is noted in **Bloomberg Law – Big Law Business**. These promotions are also highlighted in **LawFuel, The Deal**, and the Commerce and Industry Association of New Jersey's (CIANJ) **Business Beat** newsletter, with **Lesley P. Adamo, Dmitry Andreev, Marc S. Kurzweil, James B. O'Grady, Eileen Overbaugh, Peter Slocum, and Julie Levinson Werner** highlighted as newly elected partners and **Brandon Fierro, Joseph G. Jones, Robert Lynn, Brianne Perlman, Nedda N. Salehi, and Leah Satlin** listed as promoted to counsel. **Gary M. Wiggins** is quoted regarding the critical role these lawyers will play in the firm's continued success. **Law360** notes our partner elevations in an article highlighting firms' Q1 promotions. (*subscription required to access certain content*) **View Lowenstein's news announcement about these promotions.**
- > July 30, 2018
The PE Hub Network and **Mergers & Acquisitions** note Lowenstein Sandler as counsel to **NexPhase Capital, LP** in its equity stake investment in **Brandt Information Services, LLC**.
- > February 23, 2018
WSJ Pro Venture Capital quotes **Julie Levinson Werner** on how the National Venture Capital Association's (NVCA) **issuing revised model human resources policies** to combat sexual harassment in the VC industry is part of a broader trend across sectors to address and prevent harassment. As a member of the NVCA HR Policy Subcommittee, Werner assisted in drafting and reviewing the model policies. (*subscription required to access article*)
- > First Quarter 2016
 In **Enterprise Magazine**, **Julie Levinson Werner** comments on the legal risks and benefits of employee work-life balance for employers.
- > July 21, 2014
 In **Xconomy**, **Julie Levinson Werner** comments that part of the culture of sexism and misogyny existing in the technology scene may be due to startups' natural growing pains.

SPEAKING ENGAGEMENTS

- > Speaker, **Practices for Creating a Diversity, Equity, and Inclusion Program**, ADP, Webinar, July 21, 2020
- > Panelist, **Post Pandemic: What to Expect When You're Expecting to Re-open**, Lowenstein Sandler LLP, WEBINAR, May 27, 2020
- > Panelist, **National Small Business Town Hall**, Inc. magazine; U.S. Chamber of Commerce, Webinar, May 8, 2020
- > Speaker, **No Longer Business As Usual? Key Legal Advisors Discuss And Answer Questions On How To Respond to COVID-19 Related Issues**, Lowenstein Sandler, Webinar,

March 20, 2020

- > Speaker, **2019 TechGC National Summit**, TechGC, New York, NY, October 24-25, 2019
- > Speaker, **Navigating Workplace Culture in 2019**, Lowenstein Sandler , Roseland, NJ & New York, NY, October 15-16, 2019
- > Presenter, **Paid Sick and Family Medical Leave Compliance & Best Practices**, ADP, Parsippany, NJ, May 14, 2019
- > Speaker, **Lowenstein Sandler Spring Alumni CLE Day**, Lowenstein Sandler, Roseland, NJ, April 30, 2019
- > Speaker, **Current Trends in Employment Law**, Lowenstein Sandler, New York, NY, March 26, 2019
- > Speaker, **Top 2019 Employment Law Topics**, ADP, Parsippany, NJ, February 21, 2019
- > **Developing and Maintaining Talent in the Era of #MeToo**, ACC New Jersey Chapter's 16th Annual All-Day CLE Conference , Whippany, NJ, September 21, 2018
- > Presenter, **Sexual Harassment in the Workplace – What Can Your Company Do to Prevent It?**, Parsippany, NJ, May 15, 2018
- > Presenter, **Workplace Conduct Investigations Breakfast Seminar**, Lowenstein Sandler Roseland Office - May 9 | Lowenstein Sandler NYC Office - May 10, May 9-10, 2018
- > **Sexual Harassment in the Workplace – What Can Your Company Do to Prevent It?**, February 14, 2018 (New York Office) and February 15, 2018 (New Jersey Office)
- > Guest Lecturer, **Employment Law Considerations for Technology and Start Up Businesses**, Cornell Tech LLM Program, September 25, 2017
- > Speaker, **New York Employment Law Developments in 2017**, New York Employment Law Developments in 2017 Seminar, New York, NY, May 9, 2017
- > Speaker, **Employment Law Priorities and Predictions for 2017 and Beyond!**, Commerce and Industry Association of New Jersey HR Roundtable, April 5, 2017
- > Guest Lecturer, **Employee Mobility**, Cornell Tech LLM Program, October 25, 2016
- > Guest Lecturer, **Employment Law for Technology Start-Ups**, Cornell Tech LLM Program, October 24, 2016

EDUCATION

- > Benjamin N. Cardozo School of Law (J.D. 1996), magna cum laude
- > Cornell University (B.A. 1993), with distinction

ADMISSIONS

- > New York
- > New Jersey