
Cullen and Dykman Attorneys Win Temporary Restraining Order Against Two Accountants Who Left Major Accounting Firm

November 5, 2018

Last week, a Cullen and Dykman Commercial Litigation team led by Partner Scott Greenspan and Associate Hayley Dryer, won a temporary restraining order from a Nassau County Supreme Court Commercial Division Justice against two accountants who left a major accounting firm and are alleged to have purloined client files in paper and electronic form from the firm.

In this case, the senior accountant who left our major accounting firm client had a non-competition agreement with the firm that had no geographic limitation. Our team succeeded in convincing the Court to “blue pencil” in a reasonable limitation into the non-competition agreement to ensure that it was enforced.

Accordingly, the court prohibited the senior accountant as well as any of his agents or anyone else acting in concert with him from servicing any of the clients that our accounting firm client had acquired from the senior accountant when it purchased his practice in 2013. The court also ordered both the senior and the junior accountant to return to our accounting firm client all of the paper and electronic files they had taken from the firm shortly before their departures.

Partner Scott Greenspan hailed the judge’s decision, stating that “We are gratified and grateful for the judge’s ruling in favor of our client.”

Practices

- Commercial Litigation

Attorneys

- Thomas Baylis