



## Millie Warner

Partner

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Millie Warner is a Partner in the firm's Litigation Department and is a member of its Employment Group. Ms. Warner advises clients on a wide range of employment law and human resource issues. She represents clients in employment litigation, conducts sensitive internal investigations, crafts and litigates employee non-compete agreements, advises on enforcement actions, and provides other strategic counseling to help corporations minimize legal, compliance, and reputational risks.

Ms. Warner counsels clients on disciplinary processes, termination of employees, and day-to-day human resources matters including drafting employment agreements, separation agreements, confidentiality and restrictive covenant agreements, and employment policies. She also has extensive experience, both in and out of the courtroom, handling employee non-compete and non-solicit agreements to safeguard companies' interests and trade secrets. When complaints of wrongdoing arise, Ms. Warner conducts thorough internal investigations to address issues in-house and to prepare clients for possible outside enforcement or legal actions. During enforcement actions, she draws on her years of experience with state and federal agencies to effectively represent clients in government investigations.

She has been recognized by *The Legal 500 United States* in the areas of Trade Secrets (Litigation and Non-Contentious Matters) and Labor and Employment Disputes (Including Collective Actions). Before joining Patterson Belknap, Ms. Warner was an employment litigator in the New York and London offices of international law firms.

Ms. Warner also maintains an active pro bono practice, representing clients in need in a wide variety of matters. Her pro bono work includes representing various trade organizations in filing an amicus brief challenging the FTC's noncompete rule.

### Education

- Harvard Law School (J.D., *cum laude*)
- Princeton University (B.A., *summa cum laude*)

### Representative Matters

- Won a unanimous victory in the U.S. Court of Appeals for the Second Circuit on behalf of a professional services firm in a case that established, for the first time, that employers have the right to terminate employees who refuse to cooperate in internal investigations. The case arose from an investigation by the New York Attorney General.
- Successfully defended an international finance and insurance company and a consulting firm in putative class actions under ERISA for breach of fiduciary duty in allegedly imprudent 401(k) plan investment options in company stock.

- Successfully defended a global investment management firm in an arbitration brought by a key member of the firm's investment management group who left with members of his team to start a competing fund.
- Conducted an internal investigation into alleged embezzlement by an employee of a financial services firm, obtaining an injunction freezing the employee's assets.

### **Admissions**

- U.S. Court of Appeals, Federal Circuit; Second Circuit
- U.S. District Court, Southern District of New York
- New York

### **Publications**

- "Lights, Camera...Trade Secrets Action," *Thomson Reuters Westlaw Today* (April 27, 2023)