

SEC Announces Enforcement Action Against Restrictive Language in Confidentiality Agreements

April 2, 2015 | Client Update

The SEC, which has recently been investigating workplace agreements out of concern that they may impede whistleblowing activity protected by the Dodd-Frank Act, announced yesterday its first enforcement action against a company related to the use of restrictive language in confidentiality agreements. Companies should be mindful of this type of enforcement action and take the necessary steps to review and revise their own various agreements addressing confidentiality.

If you have any questions regarding the matters covered in this publication, please reach out to any of the lawyers listed below or your usual Davis Polk contact.

Greg D. Andres

+1 212 450 4724
greg.andres@davispolk.com

Martine M. Beamon

+1 212 450 4262
martine.beamon@davispolk.com

Angela T. Burgess

+1 212 450 4885
angela.burgess@davispolk.com

Kyoko Takahashi Lin

+1 212 450 4706
kyoko.lin@davispolk.com

Neil H. MacBride

+1 202 962 7035
neil.macbride@davispolk.com

Denis J. McInerney

+1 212 450 4477
denis.mcinerney@davispolk.com

Neal Potischman

+1 650 752 2021
neal.potischman@davispolk.com

James P. Rouhandeh

+1 212 450 4835
rouhandeh@davispolk.com

Linda Chatman Thomsen

+1 202 962 7125
linda.thomsen@davispolk.com

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