

DraftKings Case Shows Limits of California Noncompete Ban Reach

In the News

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In the *Bloomberg Law* article, “DraftKings Case Shows Limits of California Noncompete Ban Reach,” Senior Correspondent, Chris Marr, discusses how California’s power to void worker noncompetes signed in other states isn’t as sweeping as some employers feared after a Boston federal appeals court upheld a disputed contract between DraftKings and a former executive.

The decision reinforces the legal limits on California efforts—under state law changes that took effect Jan. 1—to extend its longstanding ban on noncompetes to contracts struck elsewhere. But the scope of its power over such agreements is likely to vary from case to case.

Archer attorneys, [Thomas A. Muccifori](#) and [Christopher M. Terlingo](#), both spoke to *Bloomberg Law* regarding this, with Thomas saying, “The fear was California was literally exporting its ban to all 50 states. Clearly this case represents a defense to that.”

Christopher was quoted as saying, “Choice of law analysis is designed to be a fact-sensitive inquiry, This makes it difficult to predict which way disputes will go and also less likely that a higher court will review and resolve conflicting court decisions.”

Click [here](#) to read the full article.

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