



Hollis Gonerka Bart LLP
646-398-0066 | 518-771-3031

Executive Suite Employment Advice and Counsel – *Serving busy executives who are keen to maximize compensation terms, get individualized advice during their tenure, and negotiate meaningful departure terms, while managing potential litigation and reputational risks.*

Smart Advice at the Outset

The Firm is known for its representation of executive suite talent in negotiating and drafting complex employment, consultancy and director arrangements. With an appreciation for a balanced approach that fosters working relationships after the contract is signed, the Firm advocates for terms commensurate with an executive's experience and market standards.

Often working under time-sensitive transaction deadlines, the Firm has more than 25 years' experience in drafting and negotiating:

- ~ employment documentation, including employment, restrictive covenant and retention agreements, equity grants, long-term incentive and deferred compensation plans, phantom ownership interests and carried interests
- ~ management buy-out and roll-over arrangements
- ~ mandatory indemnification provisions with rights of advancement
- ~ consultancy, directorship and strategic alliance agreements

Individualized Advice and Counsel During the Executive's Tenure

When faced with challenges, accusations, or corporate investigations that potentially place an executive at odds with their employer, the Firm provides thoughtful, individualized advice and counsel to help executives comply with their cooperation obligations, while building the best record and strategy for advancing their individual interests, and invoking any indemnification or other contractual rights.

Should an investigation by the company or an agency ensue, the Firm is experienced in preparing and presenting executives for interviews and testimony, setting up common interest privileges or joint defenses to facilitate important dialogue and the exchange of strategy and work product with others, and managing the complexities of parallel proceedings by various governmental agencies, such as the SEC, FINRA, the United States Attorneys Office, the Attorney General's Office, Department of Labor and OSHA.



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Comprehensive, But Thoughtful, Exit Strategies

When the time comes for an employment relationship to end, the Firm is experienced in negotiating separation agreements designed to track contractual rights and fairly compensate the executive for general releases of claims, such as *bona fide* claims for discrimination, retaliation or harassment, or when the executive needs to invoke statutory rights of a whistleblower.

When the executive makes the decision to leave, the Firm can assist in the development of exit strategies for managing risks associated with restrictive covenants and confidentiality restraints, and to put meaningful reputational protections into place.

Managing Reputational Impacts on Executives

In all phases of its executive representation, the Firm is vigilant in its efforts to protect executives against potential, and often irreparable, reputational damage. For executives faced with the risk of unwanted press or social media attacks, the Firm is adept in the swift, incisive deployment of strategies designed to manage reputations and rights of privacy, including the successful take-down of offending webpages, news articles and social media blogs.