

**COURT FINDS WEBER NON-COMPETE AGREEMENTS PREVENTING FORMER
EMPLOYEES FROM EMPLOYMENT WORLDWIDE ARE OVERBROAD AND
UNENFORCEABLE**

TUCSON (September 10, 2014) – Four aerospace engineers who left their employment with Weber Aircraft, now known as Zodiac Seats US (Weber), to go to work for B/E Aerospace (B/E), a leading manufacturer of aircraft cabin interior products in the world, recently obtained a significant victory in the United States District Court for the Eastern District of Texas, invalidating facially overbroad non-compete agreements that they and other employees were required to sign by Weber.

Shortly after the former Weber engineers began working for their new employer, Weber sent cease-and-desist letters to both the former employees and their new employer demanding that they cease employment and alleging that such employment violated Weber’s non-competition and non-solicitation agreement (Agreement). When the employees refused Weber’s demands, Weber initiated litigation against the employees in Texas, alleging that the four individual defendants (Defendants) breached the Agreement by accepting employment with B/E. Snell & Wilmer and Akerman LLP represented the Defendants.

After more than a year-and-a-half of litigation, Defendants filed a motion for summary judgment arguing that the Agreements were unenforceable on their face. The court agreed, holding that “the scope of the agreements is worldwide” and that “[t]his scope vastly exceeds the geographic area in which Defendants worked in Texas, and Plaintiff has not attempted to make a showing that it attempted to reasonably restrict the geographic scope of the agreements.” The court further found that, “The agreements are burdensome and ... essentially unlimited in scope and improperly prohibit[] Defendants from obtaining any type of employment at any of the competitors of Plaintiff.”

On July 29, 2014, United States District Judge Ron Clark entered summary judgment in Defendants’ favor on all claims, rejecting Weber’s arguments, dismissing its claims with prejudice and entering final judgment in Defendants’ favor.

On August 28, 2014, Weber filed a Notice of Appeal, stating its intent to appeal the summary judgment decision to the Fifth Circuit of the United States Court of Appeals.

About Snell & Wilmer

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