

Instruction: This is a model letter. Adapt to fit your facts and circumstances.

<date>

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

<Name>
<address>
<address>

Re: Violation of Non-Competition Agreement

Dear <Name>:

Our firm represents _____. It has come to our client's attention that since leaving your employment with _____, you have been accepted employment with _____ in violation of your _____, 20 _____ non-competition agreement ("Agreement") with _____.

Paragraph 1(a) of the Agreement, a copy of which is attached hereto as Exhibit A, explicitly states that you will not, for a period of two years following your termination of employment with _____, "[e]nter the employ of any person, firm, or corporation engaged in a similar line of business in competition with the employer . . . in any of the counties or parishes of the States . . . in which [you have] worked within the two years preceding termination." Similarly, paragraph 1(b) provides that for a period of two years you will not "directly or indirectly . . . solicit or attempt to solicit the inventory business or patronage, of any person, firm or corporation . . . within any of the counties or parishes of the States . . . in which [you have] worked on behalf of [_____] within two years preceding termination."

Your employment by _____ undisputedly violates this agreement. Therefore, on behalf of _____, we respectfully demand that you **IMMEDIATELY CEASE AND DESIST** your employment with _____. If we are unable to verify within ten days that you have ceased your employment with _____ or if it comes to our attention that you are otherwise engaging in competition with _____ by attempting to lure away customers or employees during the two year period, our client has instructed us to immediately pursue all legal remedies available including, but not limited to, seeking injunctive relief. If _____ is forced to undertake such legal proceedings, you will be liable for _____'s costs and attorneys fees in pursuing such remedies in accordance with paragraph 4 of the Agreement.

This is a very serious matter and you must immediately take appropriate action to avoid legal proceedings. If you or your legal counsel desire to discuss this matter, please do hesitate to contact me.

Sincerely,

by:

/
Enclosure