

People



Adam S. Mocchiolo

Partner, Labor and Employment

New York

T: +1 212 259 6448

adam.mocchiolo@akerman.com

vCard

Adam Mocchiolo is a multi-disciplinary business lawyer providing counseling to clients across the United States and outside it in three principal areas:

- Employment Law
- Immigration
- Commercial Disputes

Among Adam's areas of particular experience in the employment arena are complex, reputationally sensitive internal and independent investigations, noncompete issues, including prominent cases on forfeiture-for-competition law, and international employment matters.

He provides immigration counsel to a wide variety of employers and individuals, including hedge funds and other assets managers, tech businesses, professional services firms, healthcare institutions, construction firms, hospitality businesses, universities, religious institutions, entrepreneurs, and investors.

Adam's commercial litigation experience spans antitrust, fraud and asset recovery cases, business divorces, consumer disputes, complex contract actions, intellectual property matters, and others areas, and includes numerous first-impression issues and cases receiving national press attention. He has practiced successfully before multiple federal and state appellate courts.

In addition to his firm practice, Adam was previously the lead employment lawyer and commercial litigator in the law department of a Fortune 500 insurer with global operations, and he draws on that in-house perspective to provide practical, outcome-focused advice to business clients. He volunteers in numerous bar association, community, and court capacities. Before entering the practice of law, he served on the professional staff of a United States senator and was an adjunct instructor in politics at several universities.

Areas of Experience

Labor and Employment
 Immigration Planning and Compliance
 Employment Litigation
 Employment Training and Compliance
 Trade Secrets, Restrictive Covenants, and Unfair Competition
 Wage and Hour
 Appellate
 Fraud and Recovery
 Commercial Disputes
 Class Action Defense
 International

Education

Master of Comparative Law, Universität Mannheim
 J.D., University of Connecticut School of Law
 Master in Public Policy, Harvard University
 B.A., University of Connecticut

Admissions

Bars

New York
 Connecticut

Courts

U.S. Supreme Court
 U.S. Court of Appeals, First Circuit
 U.S. Court of Appeals, Second Circuit
 U.S. Court of Appeals, Third Circuit
 U.S. Court of Appeals, D.C. Circuit
 U.S. District Court, Southern District of New York
 U.S. District Court, Eastern District of New York
 U.S. District Court, District of Connecticut

Languages

German

Notable Work

Restrictive Covenants/Competition: Prevailed in the leading case in the Third Circuit establishing the enforceability of “forfeiture-for-competition” agreements permitting employers to claw back financial benefits from former employees working for competing businesses.

Internal Investigations: Served on the investigation team that produced a comprehensive report on the history of clerical sexual abuse in a Roman Catholic diocese and management’s response to the abuse; it is believed to be the first investigation of its kind, globally, to be performed by independent outside counsel rather than criminal prosecutors.

Class Actions/Antitrust: Represented a bank defendant for 15 years in the *In re Payment Card Interchange & Merchant Discount Antitrust Litigation* matter, a nationwide class action by merchants over the fees and rules for payment card transactions on the Visa and Mastercard networks, generally regarded as one of the largest private antitrust cases ever litigated.

Immigration/Higher Education: Counsel to a university on all of its faculty immigration matters, including obtaining EB-1 “outstanding professor or researcher” green cards and other employment visas for faculty members.

Fraud and Asset Recovery: Successfully represented a creditor in a highly publicized action seeking to claw back a debtor’s eight-figure donation of hidden overseas assets to a university, including obtaining a unanimous appellate reversal in the First Circuit establishing client’s standing to sue and overseeing related litigation outside the United States to secure assets.

Whistleblower Litigation: Successfully litigated a Sarbanes-Oxley whistleblower retaliation claim by an executive who alleged she was discharged for reporting corporate ethics violations in a merger transaction.

Employment Discrimination Litigation: Obtained unanimous appellate affirmance by the Second Circuit of a trial court’s dismissal of retaliation claims against a school district client in a high-profile dispute with a principal involving allegations of physical abuse of school children.

Trade Secrets and Unfair Competition: Successfully prosecuted an action on behalf of a parking technology client against the client’s former software vendor that developed a competing product using software code written for client, obtaining transfer to the client of all rights in the competing technology.

Business Divorces and Closely Held Business Disputes: Successfully defended the general partner of a real estate development partnership from limited partners’ action seeking to enjoin portfolio sale by client and take control of the firm, a case presenting an issue of first impression in any jurisdiction on the extent of a court’s windup powers under the Uniform Limited Partnership Act.

Business Torts: Successfully defended an ultra-high-net-worth client from an action by a bank alleging that client unlawfully interfered with the bank’s efforts to collect a nine-figure judgment against the client’s investment firm for margin-loan losses.

Related Content

Preparing for the FY 2026 H-1B Cap Season
March 06, 2025

Akerman Hosts Webinar on What Employers Should Expect Under a Second Trump Administration
January 15, 2025

The Time for Certain Foreign National Workers to Stop Traveling Abroad is NOW, Not After the Inauguration
December 10, 2024

Insurance Fraud: As in-house counsel, oversaw a nationally prominent fraud and conspiracy case against a lawyer and alleged co-conspirators for misappropriation of a multimillion-dollar insurance payment.

Affiliations

- District of Connecticut, Federal Grievance Committee
- Connecticut Bar Association, Standing Committee on Professional Ethics, Member; Federal Practice Section, Past Co-Chair; Connecticut Bar Journal Board of Editors, Member
- Association of Corporate Counsel, Westchester-Southern Connecticut Chapter, Director
- Federal Bar Council, Member
- Raymond E. Baldwin Inn of Court, Member
- ABA Section of International Law, Steering Group for International Employment Committee, Former Member; Immigration Committee, Former Vice-Chair
- Connecticut Office of Public Hearing, Volunteer Mediator for Employment Cases
- Harvard Club of Fairfield County, President

Honors and Distinctions

- *Super Lawyers* Magazine, 2017-2021, Listed in Connecticut for Business Litigation
- *Connecticut Law Tribune*, 2013, “New Leader in the Law”
- Martindale-Hubbell, AV Preeminent

Published Work and Lectures

- Connecticut Bar Association Annual Advanced Labor and Employment Law Symposium, Speaker, “Restrictive Covenants: Recent Developments and Litigating Disputes,” March 27, 2024
- The Knowledge Group, Speaker, “Litigation Funding: Maximizing Potentials While Mitigating Risks,” August 10, 2020
- Connecticut Conference of Independent Colleges, Speaker, “Internal Investigations During the Covid-19 Pandemic,” June 25, 2020
- Association of Corporate Counsel, Westchester/Southern Connecticut Chapter, Speaker, “Litigation Funding for Corporations: Understanding the Newest Financial Tool for Corporate Law Departments,” September 25, 2019
- Association of Corporate Counsel, Westchester/Southern Connecticut Chapter, Speaker, “Ethical Quandaries for In-House Counsel,” January 19, 2018
- *Connecticut Bar Journal*, Co-Author, “Connecticut Jurisprudence on E-Commerce Contracts of Adhesion: Page Not Found?,” Vol. 87, 248-69, 2013