

From: Scott Simanek <[REDACTED]>
Sent: Monday, January 23, 2023 1:55 PM
To: Khan, Lina <lkhan@ftc.gov>
Subject: Non Compete Campaign

Lina,

I have been following your campaign to do away with non-compete clauses in employment contracts. I fully support you.

I think the below is a very good study in why non-competes hurt the worker and not the employee.

[REDACTED] that makes their management team sign a “Key Employee Agreement” that includes a very broad non-compete clause. They recently fired over [REDACTED] workers, several of them with this agreement in place. I used to work for [REDACTED] for 20+ years and left over 5 years ago. Knowing a few of the individuals, they asked me for a job which I offered them.

While we are in the same industry as [REDACTED] I am also their customer and a vendor. [REDACTED] did not allow them to come and work for me.

Some more color on this is that a few other ex-employees were sued by [REDACTED] for violating this agreement. It went to court and a MN judge sided with the employee. However, the employee had already spent \$250K defending himself and [REDACTED] threatened to appeal if he didn't take a deal.

I'm sure you can find out a lot more on the particulars but this is certainly a situation where big business just bleeds the worker.

Best of luck in your pursuit.

Scott Simanek
[REDACTED]

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