



## Linda M. Jackson

PARTNER

Linda, Co-Leader of the Trade Secrets, Non-Competes & Employee Mobility group, is a first-chair trial attorney focusing on employment and commercial counseling and litigation, including trade secrets, C-suite investigations, non-competes, and whistleblower suits.



### Practices

Coronavirus (COVID-19) Task Force  
Complex Litigation  
Government Contracts  
Government Enforcement & White Collar  
Labor & Employment  
Trade Secrets, Non-Competes & Employee Mobility

### Education

The College of William & Mary JD, 1994  
Amherst College BA, 1987

### Offices

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Linda represents clients in high-stakes counseling and litigation before federal, state, and appellate courts. She has a particular focus in the District of Columbia and the Eastern District of Virginia, also known as the “Rocket Docket,” as well as the state trial courts in Northern Virginia, including Fairfax, Arlington, and Loudon counties.

Linda’s practice includes non-compete, non-solicitation, and nondisclosure negotiation and litigation; executive contracts and compensation; whistleblower and retaliation investigations and litigation; trade secret disputes; civil business conspiracy, tortious interference, and other business competition issues; shareholder litigation; business torts, including defamation, breach of fiduciary duties, and duties of loyalty; and employment discrimination and wrongful discharge. She has represented clients in industries such as government contracting, professional services, associations, technology, telecommunications, commercial and residential development, supermarkets, airlines, child care services, and more.

An aggressive litigator, Linda understands her clients’ business objectives and shapes her pre-litigation and litigation strategies to achieve clients’ desired goals efficiently. Understanding the exigent nature of commercial and employment counseling and litigation, Linda keeps her clients up-to-date as cases proceed, advises on options at critical decision points, and provides skilled, tactical counseling throughout.

### Previous Work

Linda was previously co-chair of the Government Contractors group at an international firm specializing in employment and labor law, and a member of the Executive Committee at another large international firm. She also served as a major in the US Air Force Judge Advocate General Reserve Corps. In 2009, she was named to the advisory board of the *William and Mary Journal of Women and the Law*.

### Professional Activities

Member, Law Firm Advisory Committee, Office of the Attorney General for the District of Columbia

- Faculty Member, Professionalism for Law Students, Virginia State Bar
- Former Officer and Member of the Board of Directors, WBA Foundation, Women's Bar Association of the District of Columbia
- Former President, Virginia Women Attorneys Association
- Former Member, Judicial Screening Committee, Fairfax Bar Association
- Former Member of the Board of Directors, Fairfax County Bar Association
- Former Member, Judicial Screening Committee, Virginia Women Attorneys Association
- Former Chair, Elections Committee, Fairfax Bar Association
- Former Member, Board of Directors, Arlington County Temporary Shelter
- Former Member, Board of Directors, Volunteer Fairfax

## Publications, Presentations & Recognitions

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Linda is a well-recognized and well-published attorney. She has been recognized by *Best Lawyers in America* for her achievements in Labor and Employment Litigation and was rated as a leader in her profession by *Best Lawyers in America 2018, 2019, 2020, 2021, and 2022*; named among the "Best Lawyers in Washington, DC" by *The Wall Street Journal* in 2020; recognized as a Super Lawyer in the District of Columbia by *Super Lawyers* in 2020 and 2021; named among the "Best Lawyers In Washington, DC" by *The Washington Post*; selected as among *America's Top 100 Bet-the-Company Litigators* for Washington, DC in 2019, 2020, and 2021; ranked as a Top Lawyer in Employment Defense by *Washingtonian* for several years, including in 2020; recognized as "Leading Business Litigation Attorney of the Year, Washington, DC" in *Acquisition International's 2019 Leading Advisor Awards*; named as a "Leader in the Law" by *Virginia Lawyers Media*; recognized by *Chambers USA*; and awarded the AV Peer Review Rating by *Martindale-Hubbell*.

Linda is a Life Fellow of the American Bar Association, the American Bar Foundation, and the Virginia Law Foundation.

Linda's articles, presentations, and featured commentary include:

- "Federal Contractor Vaccine Mandate Enforcement Halted in 3 States/Deadline Delayed Nationwide," Arent Fox Alert, Co-Author, December 3, 2021
- "Vaccine Mandate for Government Contractors: Guidance and FAR Class Deviation Bring Clarity and Questions," Arent Fox Alert, Co-Author, October 14, 2021
- "DC Non-Compete Ban Delayed Until April 1, 2022," Arent Fox Alert, Co-Author, September 1, 2021
- "The CDC and the Biden Administration Issue New Mask and Vaccine Guidance and Mandates, and Employers May Soon Follow Suit," Arent Fox Alert, Co-Author, July 30, 2021
- "Biden Directs FTC To Regulate Non-Compete Agreements," Arent Fox Alert, Co-Author, July 16, 2021
- Quoted in "New Whistle-Blowing Law Applies to Internal Complaints," *SHRM Employment Law*, June 10, 2021
- "Virginia Supreme Court Recognizes Negligent Retention and Vicarious Liability for Acts of Retired Employee," Arent Fox Alert, Co-Author, May 19, 2021
- "Biden Issues EO Increasing Minimum Wage to \$15 per Hour for Federal Contractors," Arent Fox Alert, Co-Author, May 13, 2021

- “Fourth Circuit Affirms Waiver of Arbitration Appellate Review,” Arent Fox Alert, Co-Author, April 20, 2021
- “New Jersey Employers May Mandate COVID-19 Vaccination for Employees,” Arent Fox Alert, Co-Author, April 8, 2021
- “New York Law Affords Employees Paid Leave for COVID-19 Vaccinations,” Arent Fox Alert, Co-Author, April 7, 2021
- “Circuit Court Rules Employers Are Not Required to Reassign Employees as an ADA Accommodation,” *Employee Benefit Plan Review*, Co-Author, March/April (2021)
- “Massachusetts Employers: Do You Need To Reissue Your Non-Compete Agreements?,” Arent Fox Alert, Co-Author, March 10, 2021
- “US DOL Issues First Indictment for No-Poach Agreement,” Arent Fox Alert, Co-Author, January 21, 2021
- “Mayor Muriel Bowser Signed the Ban on Non-Compete Agreements Amendment Act of 2020,” Arent Fox Alert, Co-Author, January 12, 2021
- “What Employers Should Know About the New Congressional COVID Relief Bill,” Arent Fox Alert, Co-Author, December 22, 2020
- “The Fourth Circuit Rules Employers Are Not Required To Reassign Employees as an ADA Accommodation,” Arent Fox Alert, Co-Author, November 24, 2020
- “EEOC Proposes Updates to its Guidance on Religious Discrimination,” Arent Fox Alert, Co-Author, November 20, 2020
- “SEC Will Not Subject Whistle-Blowing Awards to Enhanced Review,” November 19, 2020
- “District of Massachusetts Rules No Preemption Under the MUTSA,” Arent Fox Alert, Co-Author, November 9, 2020
- “Executive Order 13950: OFCCP Requests Information on Workplace Diversity Training,” Arent Fox Alert, Co-Author, October 26, 2020
- “White House Issues Executive Order Combating Race and Sex Stereotyping,” Arent Fox Alert, Co-Author, October 1, 2020
- “Our Aging Legal Profession: Working with the Benefits and the Challenges,” DC Bar CLE Institute: Aging and the Law, September 10, 2020
- “Seventh Circuit Affirms the Availability of Head Start Damages in Trade Secrets Cases,” Arent Fox Alert, Co-Author, August 26, 2020
- “Litigating Spoliation Claims in Trade Secret Cases,” Arent Fox Alert, Co-Author, June 25, 2020
- “Post-Employment Payout of Incentive Plan Benefits Clears Barrier to Enforcement of Non-Competes,” Arent Fox Alert, Co-Author, June 15, 2020
- “Tips For Spoliation Claims In Trade Secret Cases,” *Law360*, May 28, 2020
- “DOL Issues FAQs on WARN Act and COVID-19,” Arent Fox Alert, Co-Author, May 11, 2020
- “DOD Clarifies Use of Section 3610 of the CARES Act to Reimburse Federal Contractors For Keeping Employees in a Ready State,” Arent Fox Alert, Co-Author, April 30, 2020
- “DOL Issues Troubling Guidance on CARES Act Unemployment Benefits Impacting Certain Non-Profits,” Arent Fox Alert, Co-Author, April 29, 2020
- “OSHA Issues Guidance Addressing Enforcement Procedures During COVID-19 Pandemic,” Arent Fox Alert, Co-Author, April 28, 2020
- “Supreme Court May Add New and Improved Tool to Trade Secret Litigators’ Toolboxes,” Arent Fox Alert, Co-Author, April 27, 2020
- “US Department of Labor Issues Temporary Final Rule Implementing Families First Coronavirus Response Act,” Arent Fox Alert, Co-Author, April 2, 2020
- “Treasury and IRS Release FAQs On Paid Sick and Family Leave Tax Credits for Small and Mid-Size Employers,” Arent Fox Alert, Co-Author, April 2, 2020
- “D.C. Mayor Muriel Bowser Issues Stay-at-Home Order,” Arent Fox Alert, Co-Author, March 31, 2020
- “Virginia Governor Issues Stay-at-Home Order,” Arent Fox Alert, Co-Author, March 30, 2020

- “Maryland Governor Issues Stay-at-Home Order,” Arent Fox Alert, Co-Author, March 30, 2020
- “The Department of Labor Issues New Guidance Explaining Paid Sick Leave and Expanded Family and Medical Leave Under the Families First Coronavirus Response Act,” Arent Fox Alert, Co-Author, March 27, 2020
- “A New Marshall Plan: Congress Nears Passage of CARES Act,” Arent Fox Alert, Co-Author, March 25, 2020
- “DC Mayor Muriel Bowser Issues Order Limiting Gatherings and Closing Certain Non-essential Businesses,” Arent Fox Alert, Co-Author, March 25, 2020
- “Virginia Governor Ralph Northam Issues Order Limiting Gatherings and Closing Certain Non-essential Businesses,” Arent Fox Alert, Co-Author, March 24, 2020
- “Maryland Governor Larry Hogan Issues New Closure Order,” Arent Fox Alert, Co-Author, March 24, 2020
- “Temporary Office Closings, Furloughs, and Layoffs: What Employers Should Know About the WARN Act,” Arent Fox Alert, Co-Author, March 22, 2020
- “The District of Columbia Responds to COVID-19 Pandemic with New Workforce Protections,” Arent Fox Alert, Co-Author, March 21, 2020
- “The EEOC Issues Additional Guidance in Light of COVID-19 Pandemic,” Arent Fox Alert, Co-Author, March 20, 2020
- “FMLA Implications of the COVID-19 Pandemic,” Arent Fox Alert, Co-Author, March 20, 2020
- “President Trump Signs Bipartisan Coronavirus Relief Bill,” Arent Fox Alert, Co-Author, March 19, 2020
- “What the EEOC says that Employers Should Know about the ADA, the Rehabilitation Act, and COVID-19,” Arent Fox Alert, Co-Author, March 18, 2020
- “Discipline and Employee Rights During the Coronavirus,” Arent Fox Alert, Co-Author, March 17, 2020
- “OSHA’s Requirements for Preventing and Minimizing the Occupational Risks of COVID-19,” Arent Fox Alert, Co-Author, March 16, 2020
- “FLSA Implications of the Coronavirus Pandemic,” Arent Fox Alert, Co-Author, March 16, 2020
- “House Passes Bipartisan Coronavirus Relief Bill,” Arent Fox Alert, Co-Author, March 15, 2020
- “Enforcing Non-Compete and Non-Solicitation Provisions in Virginia: Three Recent Takeaways From a Virginia Trial Court,” Arent Fox Alert, Co-Author, March 6, 2020
- “CDC Publishes Interim Coronavirus Guidance for Employers,” Arent Fox Alert, Co-Author, February 16, 2020
- “Comment Deadline Extended for Prospective FTC Rulemaking on the Use and Enforcement of Non-Competes,” Arent Fox Alert, Co-Author, January 31, 2020
- “The Future of Employment Non-Competes: The Federal Trade Commission Considers Rulemaking and Signals an Appetite for Stricter Enforcement,” Arent Fox Alert, Co-Author, January 24, 2020
- “Second Court Holds Evidence of Equal Work for Unequal Pay Not Required for Title VII Compensation Claims,” Arent Fox Alert, Co-Author, December 26, 2019
- “Maryland Enacts a Statute Prohibiting Non-Competes for Lower Wage Employees,” Arent Fox Alert, Co-Author, July 10, 2019
- “Relief for Out-of-State Employers of Californian Employees In Non-Compete Agreements,” Arent Fox Alert, Co-Author, December 21, 2018
- “Fourth Circuit Provides Guidance on Trade Secret Protection for Combinations of Public Information,” Arent Fox Alert, Co-Author, December 12, 2018
- “Ninth Circuit: Employers Cannot Depend on Employee Salary Histories to Combat Equal Pay Claims,” Arent Fox Alert, Co-Author, April 23, 2018
- “Online Job Applications – A New Target for Website Accessibility Claims?,” Arent Fox Alert, Co-Author, April 12, 2018
- “False Reps and Warranties: Is it Fraud or Breach of Contract?,” Arent Fox Alert, Author, April 11, 2018

- “Corporate Responsibility in the Age of the Me Too Movement,” DC Bar, April 4, 2018
- “Fourth Circuit Dismisses Sexual Harassment Claim of Former Employee Who Resigned Before Company Could Investigate,” Arent Fox Alert, Co-Author, March 23, 2018
  - “Illinois Non-Compete Prohibitions Reflect Reform Efforts Nationwide,” Arent Fox Alert, Co-Author, February 26, 2018
  - “Beware the Risks of Background Checks,” Arent Fox Alert, Co-Author, December 19, 2017
  - “OMB Issues an Indefinite Stay of the Revised EEO-1 Form Intended to Address Wage Disparity for Women and Minorities,” Arent Fox Alert, Co-Author, October 5, 2017
  - “Equal Pay Act: Pay Equity Analyses Demystified,” Virginia Bar Association 47th Annual Conference on Labor Relations and Employment Law, September 16, 2017
  - “Facts Matter in Non-Compete Agreements,” Arent Fox Alert, Author, August 1, 2017
  - “Unfair Competition and Intellectual Property Protection in Employment Law: Contract Solutions and Litigation Guide,” *BNA*, Contributing Author, 2014
  - “Whistleblowing and retaliation: A Guide for Human Resources Professionals and Counsel,” *LexisNexis Retaliation & Whistleblower Claims by In-House Counsel*, Ch. 11, 5<sup>th</sup> Ed., Contributing Author, 2013
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## **Bar Admissions**

District of Columbia

Virginia

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## **Court Admissions**

US Court of Appeals, 4th Circuit

US Court of Appeals, District of Columbia Circuit

US District Court, Eastern District of Virginia

US Court of Appeals for the Armed Forces

US Air Force Court of Criminal Appeals