

Carlton Fields Secures Victory in Novel Florida Noncompete Case

March 04, 2024

TAMPA, FL – On behalf of pain management clinic operator Tampa Pain Relief Center (TPRC), Carlton Fields successfully obtained a summary final judgment in a novel case solidifying the importance of Florida’s noncompete statute, Fla. Stat. § 542.335, to protect physician practices and their patients from competitors. Cases of this nature are typically settled; however, the court agreed that "public policy in Florida favors the enforcement of reasonable covenants not to compete." The plaintiff, a former doctor at TPRC, agreed to a two-year, 25-mile noncompete agreement as a condition of his employment. Following the termination of the plaintiff’s employment, he sought declaratory relief that the noncompete agreement was overly broad and resulted in a personal hardship for his continued practice. In granting summary judgment, the court noted that TPRC need only show that its noncompete was facially reasonable under the statute, and cited TPRC’s trade secrets, valuable confidential business information, and specialized training as statutorily recognized legitimate business interests. The burden then shifted to the plaintiff to prove, with competent evidence, that the noncompete agreement was unreasonable and overly broad, which he failed to do. Tampa Pain Relief Center was represented by Carlton Fields attorneys Alan Rosenthal and Natalie Carlos.

Featuring



Alan Rosenthal



Natalie J. Carlos

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