

Client Alert: Latest Decisions in Criminal No-Poach and Civil Non-Compete Cases Indicate Continuing Scrutiny of Restrictive Covenants

Publications

July 12, 2022

Parties in Criminal No-Poach Case Reach Pre-Trial Resolution

Recently, the parties in *United States v. Hee* notified District Court Judge Boulware of the District of Nevada that they reached a preliminary plea deal. The case involves healthcare staffing company, VDA, and its former regional manager, Ryan Hee. In March 2021, VDA and Hee were indicted for conspiracy in restraint of trade in violation of the Sherman Act. Specifically, the Department of Justice alleged defendants conspired with competitors not to recruit or hire one another's employees and to refrain from raising wages.

Hee is part of a recent trend of criminal prosecutions targeting wage suppression and no-poach agreements. The potential plea deal comes on the heels of two recent acquittals in criminal antitrust prosecutions, *United States v. DaVita* and *United States v. Jindal*, which involved similar allegations. As we explain in recent client alerts, unique factors may have contributed to the government's trial losses in Davita and Jindal. Should the Hee agreement be finalized and end in guilty pleas from the defendants, this would mark the Department of Justice's first win in employment-related antitrust prosecutions.

[Read the full alert here.](#)

Related Attorneys



Debbie Berman

Partner
dberman@jenner.com
+1 312 923 2764



Jason M. Bradford

Partner
jbradford@jenner.com
+1 312 840 7225



Casey L.M. Carlson

Associate
ccarlson@jenner.com
+1 312 982 4839



Andrew W. Vail

Partner
avail@jenner.com
+1 312 840 8688



Related Articles

Client Alert: Biden Administration Announces Plans to Curtail Non-Compete Agreements for Workers

Client Alert: DOJ Continues Push Against Non-Competes, Non-Solicitations, and Other Post Employment Restrictions

Client Alert: Department of Justice Prosecutions in Employment-Related Antitrust Suits Fall Flat in DaVita Inc. and Jindal

Client Alert: The Biden White House Ramps up Antitrust Enforcement and Reform

Related Capabilities

Trade Secrets and Restrictive Covenants

Related Locations

Chicago

© 2026 Jenner & Block LLP. Attorney Advertising. Jenner & Block LLP is an Illinois Limited Liability Partnership including professional corporations. This publication, presentation, or event is not intended to provide legal advice but to provide information on legal matters and/or firm news of interest to our clients and colleagues. Readers or attendees should seek specific legal advice before taking any action with respect to matters mentioned in this publication or at this event. The attorney responsible for this communication is Brent E. Kidwell, Jenner & Block LLP, 353 N. Clark Street, Chicago, IL 60654-3456. Prior results do not guarantee a similar outcome. Jenner & Block London LLP, an affiliate of Jenner & Block LLP, is a limited liability partnership established under the laws of the State of Delaware, USA and is authorised and regulated by the Solicitors Regulation Authority with SRA number 615729. Information regarding the data we collect and the rights you have over your data can be found in our Privacy Notice. For further inquiries, please contact dataprotection@jenner.com.

Stay Informed

