

# Choice-of-Law Provision in Employment and Non-Compete Agreement Disregarded

A Dallas appellate court considered whether California law governed contract and tort claims against California-based former employees who signed employment agreements containing a choice-of-law clause stating that Texas substantive law would apply, according to a report by **Neil R. Burger** in Carrington Coleman Sloman & Blumenthal, L.L.P.'s **Sua Sponte blog**.

“Applying the applicable provisions of the Restatement (2d) of Conflicts, the Dallas Court of Appeals affirmed the trial court’s ruling that California law would apply to the claims for breach of the non-competition provision and related tort claims, because of California’s more significant relationship to the dispute and because application of Texas law would contravene a fundamental policy of California,” he wrote.

The case is *Merritt, Hawkins & Associates, LLC v. Caporicci*.

**Read the article.**