Adam S. Mocciolo

Partner

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Practice Areas

Labor & Employment

Litigation

Bar Memberships

New York

Connecticut

Languages

English

German

Adam Mocciolo is a veteran litigator with broad experience in complex, multidisciplinary cases across a wide spectrum of legal areas and client industries. His practice spans high-profile employment disputes and reputationally sensitive internal investigations, as well as bet-the-company commercial litigation, across the United States and overseas. He particularly relishes novel disputes requiring new legal thinking, and he has prevailed for clients in many issues of first impression, compiling a winning record in multiple federal appellate circuits.

In the employment arena, Adam handles emerging noncompete issues, whistleblower claims, and mass and class actions. He provides full-spectrum employment law and employee relations counseling to businesses large and small, and advises many international businesses on employment issues for their U.S. workforces, cross-border employment issues, and corporate and investor immigration.

In the commercial arena, he litigates fraud and asset recovery, director-and-officer misconduct, shareholder oppression, antitrust and complex contract cases, business divorces, and all types of consumer class actions.

He has undertaken complex, highly publicized internal investigations of matters from systematic clerical abuse to allegations of director fraud on shareholders.

In addition to his firm practice, Adam was previously the lead employment law and litigator in the law department of a Fortune 500 insurer with global operations, and he draws on that in-house perspective to provide practical, outcome-focused advice to

business clients. He volunteers in numerous bar association, community, and court capacities. Before entering the practice of law, he served on the professional staff of a United States senator and was an adjunct instructor in politics at several universities.

Other Info About Adam

Experience

Internal Investigations

Served on investigation team into clerical sexual abuse in a Roman Catholic diocese and the response of senior U.S. Catholic leaders to the abuse, believed to be the first investigation of its kind, globally, to be performed by independent outside counsel rather than criminal prosecutors

On behalf of road construction company, conducted internal investigation of allegations of systematic racial and religious discrimination with implications for client's compliance with public contracting rules

Led investigation into fraud claims against the directors and officers of a specialty medical practice in connection with purchase by a national healthcare company

Employment, Noncompete, and Trade Secret Matters

Prevailed in the leading case in the Third Circuit establishing enforceability under Delaware law of "forfeiture-for-competition" agreements permitting employers to claw back financial benefits from former employees

Successfully litigated a Sarbanes-Oxley whistleblower retaliation claim by an executive allegedly discharged for reporting corporate ethics violations in a merger transaction

Obtained unanimous appellate affirmance by the Second Circuit of dismissal of retaliation claims against a school district in a high-profile dispute with a principal who allegedly abused school children

Successfully prosecuted an action for parking technology client against client's former software vendor that developed a competing product using client's software code, obtaining transfer to the client of all rights in the competing technology

On behalf of a client global franchisor, obtained dismissal by the EEOC of a religious discrimination claim challenging the client's system-wide seven-day opening policy for franchisees

Commercial Litigation

Represented a bank defendant for 15 years in the In re Payment Card Interchange & Merchant Discount Antitrust Litigation matter, a nationwide class action by merchants over the fees and rules for payment card transactions on the Visa and Mastercard networks, generally regarded as one of the largest private antitrust cases ever litigated

Obtained unanimous appellate reversal in the First Circuit on behalf of creditor client, establishing client's standing to claw back a debtor's eight-figure donation of hidden overseas assets to a U.S. university, as well as prevailing in related asset-recovery litigation in multiple United States and Caribbean jurisdictions

Prevailed on behalf of the general partner of a real estate development partnership in limited partners' action to enjoin a portfolio sale by client and take control of the firm, a case presenting an issue of first impression in any jurisdiction on a court's windup powers under the Uniform Limited Partnership Act

Prevailed in a nationally prominent fraud and conspiracy case against a lawyer and alleged co-conspirators for misappropriation of personal injury settlement funds

Government Litigation

Oversaw a successful eight-figure damages action against the United States government by a shareholder of Fannie Mae and Freddie Mac for post-financial crisis regulatory actions that deprived client of the value of its shareholdings

Successfully defended a collegiate sports governing body from a challenge to client's authority to select athletes to represent the United States in international competition

Litigated a successful mandamus action against Department of State seeking issuance of a business visa for client's North American CEO held up for unexplained security review

Obtained reversal of state insurance department's order to health-sharing network to cease business

Regulatory Advice

Advised an association of government regulators on data security issues in its collection of sensitive financial information from systemically important financial institutions

Privacy counsel to a public lottery corporation

Counsel to a top-50 U.S. bank on consumer financial matters and regulatory examinations

Education

University of Connecticut, Juris Doctor

Harvard University, Master in Public Policy

University of Mannheim, Master of Comparative Law

University of Connecticut, Bachelor of Arts

Courts

U.S. Supreme Court

U.S. Court of Appeals for the First Circuit

U.S. Court of Appeals for the Second Circuit

U.S. Court of Appeals for the Third Circuit

U.S. Court of Appeals for the D.C. Circuit

U.S. District Court for the Southern District of New York

U.S. District Court for the Eastern District of New York

U.S. District Court for the District of Connecticut

Recognition

Legal 500, Immigration, 2026

AV Preeminent® Peer Review, Martindale-Hubbell

Super Lawyers Magazine, Business Litigation, 2017-2021

Professional Affiliations

Federal Grievance Committee, U.S. District Court for the District of Connecticut

American Bar Association Section of International Law, former member of the Steering Group for International Employment Committee, and former vice-chair of the Immigration Committee

Connecticut Bar Association Federal Practice Section, Past Co-Chair

Connecticut Bar Association Standing Committee on Professional Ethics, Member

Association of Corporate Counsel, Westchester-Southern Connecticut Chapter, Former Director

Civic Activities

Harvard Alumni Association, Board of Directors

World Affairs Forum of Stamford, former Director

Cardinal Shehan Center, former Trustee and Vice President

German-American Chamber of Commerce

Presentations

Speaker, "Litigation Funding: Maximizing Potentials While Mitigating Risks," The Knowledge Group, August 2020

Speaker, “Internal Investigations During the COVID-19 Pandemic,” Connecticut Conference of Independent Colleges, June 2020

Speaker, “Litigation Funding for Corporations: Understanding the Newest Financial Tool for Corporate Law Departments,” Association of Corporate Counsel, Westchester/Southern Connecticut Chapter, September 2019

Speaker, “Ethical Quandaries for In-House Counsel,” Association of Corporate Counsel, Westchester/Southern Connecticut Chapter, January 2018

Major Publications

“Restrictive Covenants: Recent Developments and Litigating Disputes,” *Connecticut Bar Association Annual Advanced Labor and Employment Law Symposium*, March 2024

“Connecticut Jurisprudence on E-Commerce Contracts of Adhesion: Page Not Found?,” Co-author, Vol. 87, 248-69, *Connecticut Bar Journal*, 2013

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