



## Ann A.P. Nguyen

Ms. Nguyen has extensive experience representing individuals, businesses, national and international corporations in transactional matters as well as litigation. Her clients comprise of health care professionals, real estate developers, contractors, investors, brokers and agents, entrepreneurs, IT consulting companies, medical device and computer hardware manufacturers, as well as the food and spirits industry.

As a litigator, Ms. Nguyen has represented clients in administrative hearings, private arbitrations, as well as in state and federal courts, at both the trial and appellate levels. Her litigated cases have involved wage and hour violations, wrongful discrimination, retaliation, breach of non-compete covenants, misappropriation of trade secret, unfair competition, trademark infringement, fraud, misrepresentation, breach of contract, breach of fiduciary duty, intentional interference with contractual relations, and elder financial abuse. With litigation expenses being a significant concern for most clients, Ms. Nguyen's primary goal is to find the most expeditious and cost-effective means to resolve a dispute to the client's satisfaction. However, clients are reassured that, if the situation so warrants, Ms. Nguyen would not shy away from taking quick and aggressive action to prepare the case for trial and protect the client's interests.

Ms. Nguyen's experience litigating disputes is a tremendous asset in transactional matters, providing insights that allow her to properly negotiate and document the parties' agreements so as to avoid litigation and save clients the headaches and expenses of going to court. In her role as outside general counsel to many of her clients, Ms. Nguyen provides practical and cost-effective advice to individuals and businesses in connection with entity formation, agreements among partners and shareholders, sale/purchase agreements, contracts with vendors and customers, leases, protection of intellectual property, labor and employment issues, succession planning, estate planning and the administration of estates and trust.

### Awards

- Vietnamese American Bar Association of Northern California Trailblazer Award (2016)
- Minority Bar Coalition Unity Award (2013)

### Contact:

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**Title:** Partner

### Practice Groups:

- Corporate
- Labor & Employment
- Litigation
- Private Client Services
- Restaurant & Hospitality

### Admitted to Practice:

- California
- U.S. District Court, Northern District of California
- U.S. District Court, Eastern District of California
- U.S. Court of Appeals of the Ninth Circuit

### Education:

- J.D., University of California, Berkeley, School of Law
- B.A., International Relations, University of California, Davis

### Associations:

- American Bar Association
- State Bar of California
- Santa Clara County Bar Association
- Silicon Valley Bar Association
- Asian Pacific American Bar Association of Silicon Valley
- National Conference of Vietnamese American Attorneys
- Vietnamese American Bar Association of Northern California
- Vietnamese American Professional Women Association
- Asian Law Alliance

### Languages:

- Vietnamese
- Spanish



# MESSNER REEVES LLP

## Community Involvement:

Ms. Nguyen has served as officers and members on boards and committees of various professional organizations, including the Santa Clara County Bar Association, the Asian Pacific American Bar Association of Silicon Valley, the Vietnamese American Bar Association of Northern California, the Vietnamese American Professional Women Association and the Asian Law Alliance. She was also a founding organizing committee member for the inaugural conference of the National Conference of Vietnamese American Attorneys.

To give back to the community, Ms. Nguyen has volunteered her time as a Judge Pro Tem for the Santa Clara County Superior Court, has provided pro bono legal services to nonprofits, and has rendered pro bono legal advice to indigent individuals through Lawyers in the Library, and VABANC legal clinics, where her Vietnamese and Spanish language skills often come in handy when assisting limited English speakers. She continually mentors high school and law students, as well as contributes her time and effort to community activities such as serving food to the homeless, volunteering at legal fairs, judging mock trial competitions and speaking at career days for students.

## Representative Matters:

- Advised and defended employers before administrative agencies and in court against claims for wage and hour violations, sexual harassment, age, race and disability discrimination, wrongful termination and retaliation.
- Obtained dismissal of claims against former employee for breach of employment contract, misappropriation of trade secret, breach of fiduciary duty and unfair competition, all of which arose from an alleged theft of confidential and proprietary information.
- Prosecuted cases on behalf of employees for wage and hour violations, sexual harassment, age, race and national origin discrimination, disability discrimination and failure to accommodate, wrongful termination and retaliation.
- Represented corporate executives in negotiating compensation, benefits and related terms for severance of an employment relationship.
- Successfully defended a preliminary injunction on appeal and obtained a jury verdict on behalf of a corporation whose managing agents secretly formed a competing business and stole the corporation's customers.
- Represented government prime contractor in dispute with subcontractor who misappropriated the prime contractor's trade secret and used it to submit a competing bid for a government contract.
- Negotiated releases from financial obligations and recovered damages on behalf of a victim of elder financial abuse.
- In a proceeding vigorously contested by the other parent, Ms. Nguyen assisted a divorced parent to obtain limited conservatorship over an adult child with developmental disabilities.
- Defended corporation against breach of contract lawsuit and prosecuted counterclaim against corporate director and officer for breach of fiduciary duties.