



Neil A. Capobianco

Partner

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Neil is a seasoned labor and employment attorney who counsels businesses and executives on workplace and benefits issues and helps clients resolve employment disputes and litigation.

He has provided practical, business-oriented legal advice to U.S. and multinational companies and executives on everyday labor, employment and ERISA/benefits issues and litigation for more than three decades. His extensive experience includes employment litigation, executive agreements, due diligence, ERISA withdrawal liability, internal investigations, sexual harassment, restrictive covenants, unfair competition and trade secrets, wage and hour law, arbitration, disability discrimination and reasonable accommodation, wrongful discharge and advancement and indemnification of corporate officers and directors.

Neil is also a frequent author and speaker, offering practical advice to employers navigating the complex employment law landscape.

Services

- Labor & Employment
- Litigation
- Directors' & Officers' Liability & Corporate Governance
- Employee Benefits & Compensation
- Cannabis Law
- ERISA Litigation

Representative Matters*

- Successfully represented employers in class action and multiple-plaintiff wage and hour lawsuits.
- Defended employer hit unexpectedly with ERISA withdrawal liability, achieving successful settlement and abatement of liability.
- Negotiated departing members of private limited partnership to successful business divorce.
- Led employers in global restructuring and force reduction by coordinating separations in multiple countries.

** Results may vary depending on your particular facts and legal circumstances.*

Before Fox Rothschild

Prior to joining Fox Rothschild, Neil was a New York-based partner in the Employment Practice Group of an international law firm.

Bar Admissions

- New Jersey
- New York

Court Admissions

- U.S. Supreme Court
- U.S. Court of Appeals, Second Circuit
- U.S. Court of Appeals, Tenth Circuit
- U.S. District Court, District of Colorado
- U.S. District Court, District of New Jersey
- U.S. District Court, Eastern District of New York
- U.S. District Court, Southern District of New York
- U.S. District Court, Western District of New York

Education

- New York Law School (J.D., *magna cum laude*, 1989)
- University of Wisconsin (B.A., 1985)

Honors & Awards

- **Selected to the "Best Lawyers in America" list for Employment Law - Individuals in New York, NY (2021-2026)**
This award is conferred by Best Lawyers. A description of the selection methodology is [available here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.
- **Selected to the "Super Lawyers" list for Employment & Labor Law, New York (2018, 2019)**
This award is conferred by Thomson Reuters. A description of the selection methodology is [available here](#). No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

Publications

December 11, 2025

New York Employment Litigation

LexisNexis

March 17, 2023

Employment & Labour Law 2023

International Comparative Legal Guides