

“Some restaurants are making cooks sign a ‘nondisclosure agreement’ before they can start working.”



Who owns the look and “feel” of a popular restaurant? What about distinct menu items? What about the owner’s signature salad dressing recipe? This past June (2007), chef Rebecca Charles, the owner of Pearl Oyster Bar, sued a former employee, chef Ed McFarland, in Manhattan Federal Court. Rebecca Charles is seeking money damages claiming that McFarland opened a restaurant—Ed’s Lobster Bar—copying every element of her restaurant, including the white marble bar, the paint, the chairs and bar stools, the packets of oyster crackers placed at each table setting, and even the Caesar salad dressing.

According to Ms. Charles’ lawyers, the Caesar salad recipe is a trade secret, and Mr. McFarland had no more business taking it with him after he left her employ than a Coca Cola employee entrusted with the formula for Diet Coke.

Some legal experts think that the number of such cases will grow as restaurant owners begin to think more like business people, and chefs begin to think more like owners and executives.



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To protect your rights, always call the police if you are in an automobile accident. Some states require reporting accidents to both law enforcement and the department of motor vehicles. Notify your auto insurer as well.

Here are some considerations:

1. Law-enforcement personnel are independent, objective, and will report an accident's situation accurately.
2. Have your documentation available for police.
3. Report discomfort or pain and request medical help.
4. Explain, to the best of your ability, how the accident occurred.
5. Ask police to photograph the scene.
6. Request that police officers obtain witness accounts.
7. Purchase a copy of the police accident report. If you find errors, talk to the officers who wrote it, and have it corrected or note discrepancies.
8. Send your insurer copies.
9. Do not communicate with other insurers.
10. Obtain legal counsel.

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AND SEE ME**

I've had clients complain that we have never met. This should not happen. If you're ever curious about your case, or want to complain about something, or even if you just want to see if I really exist, please call my office for an appointment. I'm charming and really funny. I may even offer you coffee.