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Gibson Dunn Secures Second Temporary Restraining Order Win for Edelman in Two Months, Obtaining Broad Relief to Halt Competitor's Ongoing Client Poaching Scheme

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On May 11, 2026, Gibson Dunn secured a victory in the U.S. District Court for the District of Delaware for our client Edelman Financial Engines, after a judge granted in full Edelman's motion for a temporary restraining order (TRO) against its competitor, Prime Capital — Edelman's second TRO victory in as many months. The order halts Prime Capital's campaign to weaponize Edelman's planners to steal confidential client information and solicit Edelman's clients immediately upon resignation.

The latest motion came after Prime Capital engaged in substantially the same conduct that gave rise to Edelman's first TRO in March: recruiting an Edelman financial planner who had executed valid restrictive covenant agreements containing confidentiality, non-solicitation, and non-servicing provisions and inducing the planner to breach his contractual obligations to Edelman by directing him to surreptitiously record confidential contact information and use that information to solicit Edelman's clients to move business to Prime Capital.

Beyond prohibiting misappropriation of confidential information and solicitation of Edelman's clients, the TRO prevents Prime Capital from accepting business from Edelman clients, requires Prime Capital to relinquish Edelman confidential information, prevents Prime Capital from contacting clients serviced by any financial planners who may leave Edelman for Prime Capital in the future, and requires Prime Capital to confer with Edelman regarding any form of notice to be sent to such clients. Judge Maryellen Noreika explained these broader forms of relief were necessary given the "repeated nature of Prime Capital's conduct and the substantial risk of irreparable harm posed to Edelman."

Judge Noreika found Edelman met its burden to show a reasonable probability of success on at least its tortious interference with contract claim by demonstrating Prime Capital intentionally, and without justification, induced the departed planner to breach his agreements with Edelman. The Court further found, for substantially the same reasons discussed in its prior TRO opinion, that Edelman had met its burden of showing a threat of irreparable harm, that the equities favored entering a temporary restraining order, and that a temporary restraining order was in the public interest.

The TRO will remain in place pending a preliminary injunction hearing on May 22, 2026. The Court also granted expedited discovery and scheduled an expedited trial beginning August 3, 2026.

The Gibson Dunn team representing Edelman includes partners Harris Mufson, Danielle

Related People

Harris M. Mufson

Danielle J. Moss

Grace E. Hart

Salah Hawkins

Vanessa Ajagu

Amy Pan

Josh J. Leopold

Felicia L. Reyes

Jon Greenberg

Cate Nash

Russell O. Shapiro

Harshini Malli

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Moss, and Grace Hart and associates Salah Hawkins, Meika Freeman, Vanessa Ajagu, Amy Pan, Josh Leopold, Felicia Reyes, Jon Greenberg, Cate Nash, Russell Shapiro, and Harshini Malli.

The case is *Edelman Financial Engines LLC, et al. v. Prime Capital Investment Advisors, LLC*, C.A. No. 25-1412 (D. Del.) (Noreika, J.).

Related Capabilities

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