

APPAREL AND ACCESSORIES

Temporary injunction against Oscar de la Renta designer removed

December 27, 2016



Carolina Herrera's resort 2017 collection

By STAFF REPORTS

A New York State judge has lifted a temporary restraining order placed on designer Laura Kim, which would have prevented her from working for Oscar de la Renta until a court hearing on Jan. 10.

Subscribe to **Luxury Daily**
Plus: Just released
State of Luxury 2019 **Save \$246 ▶**

Ms. Kim is the subject of a lawsuit brought against fashion house Oscar de la Renta by her former employer Carolina Herrera, which claims that the defendant's hire of the designer as one of its new co-creative directors violates a non-compete agreement. According to [Women's Wear Daily](#), the judge had originally issued the preliminary injunction on Dec. 21, forcing Ms. Kim to honor the non-compete until the court could hear arguments on the matter.

Rescinded restriction

The temporary injunction was lifted on Dec. 23.

Responding to the decision, Oscar de la Renta said in a statement, "We are pleased with the court's decision today to reverse the temporary restraining order that prevented Laura Kim from returning to our company where she worked for over 12 years before being recruited by Carolina Herrera. We look forward to returning on Jan. 10, 2017, to fully brief the court on the non-compete matter and to more fully answer the claims in the lawsuit brought by Mrs. Herrera and her team."

Ms. Kim worked for Oscar de la Renta for about a decade before leaving to start the new label Monse with fellow de la Renta alum Fernando Garcia. In addition to their own cult fashion brand, the design duo worked as consultants at Carolina Herrera.



Laura Kim and Fernando Garcia with the late Oscar de la Renta

According to the lawsuit, Ms. Kim was a vice president at Carolina Herrera when Francois Kress, CEO of the label, offered her the creative director position. Ms. Kim declined the role because she would not have complete creative control as Ms. Herrera is very much involved in designing for the brand.

Ms. Kim then accepted the role at Oscar de la Renta, which Carolina Herrera says is in breach of a six-month non-compete clause in her contract. According to the house, the non-compete is active until April, months after she is set to debut her first collection for Oscar de la Renta during New York Fashion Week in February ([see story](#)).

In a statement shared by WWD, Carolina Herrera said, "The company, Carolina Herrera Ltd., understands and appreciates the judge's reasoning for today's decision, which is to ensure the January 10 hearing is the final word on the question of the preliminary injunction.

"It's important to note the judge put the opposing parties on notice that if he grants the preliminary injunction, they will be prohibited from using any and all work product they have jointly created if they choose to work together before January 10. We are satisfied with this decision and look forward to continuing to pursue this matter."

© 2020 Napean LLC. All rights reserved.

Luxury Daily is published each business day. Thank you for reading us. Your [feedback](#) is welcome.