

**Letitia James**

New York State Attorney General

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Fidelity National Financial, Inc. to Pay \$3.5 Million for Having Illegal “No Poach” Agreements with Competitors

NEW YORK – New York Attorney General Letitia James today announced an [agreement to end anti-worker practices by the nation’s largest title insurance company, Fidelity National Financial, Inc. \(Fidelity\)](#). An investigation by the Office of the Attorney General (OAG) discovered that Fidelity and its competitors entered into illegal no-poach agreements where they would not solicit each other’s employees, reducing competition and therefore wages and opportunities for workers. As a result of today’s agreement, Fidelity will terminate any existing no-poach agreements, pay the state \$3.5 million, and cooperate with OAG’s ongoing investigations in the industry.

“New York has always been a place for individuals to achieve their dreams, but when companies illegally collude to deny workers the opportunity to pursue better jobs, they hamper those dreams,” said **Attorney General James**. “New Yorkers deserve fair pay for their hard work and experience in their fields, and their career growth should never be threatened by a company’s desire to save money on wages. My office will continue

standing up for workers' rights by stopping no-poach agreements and holding companies accountable for their bad actions.”

Fidelity issues title insurance policies either directly through its own agency or through independent title insurance agencies. Direct agents and independent agencies are competitors in the labor market and should be able to compete for employees on the basis of salaries, benefits, and career opportunities. Fidelity's no-poach policies with other companies prevented that from happening. The OAG's investigation concluded that Fidelity entered into no poach agreements with other title insurance companies, and that these agreements effectively reduced career opportunities and wages for workers. Today's agreement ends Fidelity's no poach agreements and requires the company to pay \$3.5 million to the state and cooperate with OAG's ongoing investigations in the industry.

Today's agreement continues Attorney General James' work to stop unlawful no-poach agreements that stifle both competition and careers. In February 2023, Attorney General James [stopped Affordable Senior Care](#) from preventing patients and their caregivers from choosing the provider of their choice, building on a [December 2022 agreement with Marks Homecare Agency](#) over the same issue. Also in December 2022, Attorney General James [ended the use of no-poach agreements by Stewart Title Guaranty Corporation](#), one of the largest underwriters of title insurance in the country. In July 2022, Attorney General James [ended no-poach agreements by two other top title insurance companies, AmTrust and First Nationwide](#). In September 2021, Attorney General James [ended no-poach agreements by another top national title insurer](#), Old Republic National Title. In March 2019, Attorney General James and a coalition of attorneys general [entered into an agreement with four national fast food franchisors](#) — Dunkin', Arby's, Five Guys, and Little Caesars — that ended their use of “no-poach” agreements.

This matter was handled by Senior Enforcement Counsel Bryan Bloom, Assistant Attorney General Michael Schwartz, and Deputy Bureau Chief Amy McFarlane, under the supervision of Bureau Chief Elinor Hoffmann — all of the Antitrust Bureau. The Antitrust Bureau is a part of the Division for Economic Justice, which is overseen by Chief Deputy Attorney General Chris D'Angelo and First Deputy Attorney General Jennifer Levy.

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