

## TRIAL RESULTS



Decades of strategic case development and trial experience.

### PLAINTIFFS WALK FROM OVER SIX MILLION DEMAND FOLLOWING HEATED EIGHT WEEK TRIAL

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(Santa Ana, CA) Following an eight-week bench trial, plaintiffs dropped its \$6 million dollar plus demand and accepted a dismissal with a cost waiver. This trial victory, led by WSHB trial lawyer Rebecca M. Gabroy, underscored a hard fought battle in a complex defamation, breach of contract, lost profits and punitive damage case which endured many failed mediations.

“As it became apparent we meant business, that no means no, just hours before the verdict was to be read, plaintiff came to the realization that gambling with having the case decided by the judge was just too much,” said Gabroy, WSHB partner based in the Orange County office of the firm. “This trial falls in the category of ‘some cases have to be tried’ because the demands are so outrageous you are left with no other choice. Ultimately, our seamless trial preparation and arguments overwhelmed the plaintiffs who accepted the dismissal as we were walking into Court the day the Judge was to read the verdict.”

Plaintiffs are an audio visual company in Costa Mesa who merged with defendants’ audio video business. These businesses were employed by the upper echelon of Orange County’s rich and famous home owners and the parties installed \$200,000 plus audio visual systems (TVs and lighting) in \$25-\$30 million dollar homes. The merger went south and Plaintiffs alleged that the Defendants defamed him to the custom home builders in Newport Beach and interfered in his business.

Plaintiffs alleged nine causes of action including defamation, breach of contract, fraud, contractual interference, and punitive damages. Throughout the litigation, Plaintiffs demanded approximately \$6 million dollars to settle the case. The contract at issue also had a prevailing party clause, which Plaintiffs were hoping to cash in on. After two failed mediations, two Mandatory Settlement Conferences and many late night calls with the discovery referee, Plaintiffs’ demand prior to trial was \$4.6 million dollars.

#### PROFESSIONALS

Rebecca M. Gabroy

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After an eight week trial, many weekend mini mediations throughout trial, and on the morning of the Judge issuing his decision, Plaintiffs dropped their multi-million dollar demand and agreed to our proposal of Plaintiffs dismissing the case with prejudice in exchange for a waiver of costs. “Plaintiffs walked away with zero dollars, which is the right result,” said Gabroy. “Our clients rightfully won and are thrilled with the result, and even more so to have this highly contentious litigation finally resolved so they can move on with their lives.”

“This amazing result could not have been reached without the unending support and wise words of WSHB’s trial lawyer Sam McDermott, the incredible help from my talented paralegal Lisa Porter who evaluated and sorted through over 200,000 pages of e-discovery and Chris Leong who helped on every aspect of this matter and handled the extensive discovery and pre-trial documents,” said Gabroy. “To be in a firm with such a strong support system and collaborative environment is what makes a difference between WSHB and others. Our client is ecstatic at the result, so are we!”