

Bird Marella Secures \$10 Million Jury Verdict for PPE Supplier in Fraud Trial

Partner Oliver Rocos and senior associate Miri Gold won a three-week, nine-count fraud jury trial in Los Angeles Superior Court arising out of a 2020 partnership relating to the sale of \$50 million worth of personal protective equipment (PPE). Joining them at trial were paralegal Tammy Dicks and legal assistant Katherine Ferguson.

Bird Marella filed suit on behalf of its client in October 2020, seeking damages for breach of contract, fraud, breach of fiduciary duty, and fraudulent transfer, among other claims. The Defendants cross-claimed, seeking over \$200 million in damages for the alleged destruction of their business. While their client's claims remained intact, by the start of trial, Bird Marella successfully trimmed the damages the Defendants could pursue at trial to just \$6.5 million.

After a three-week trial, Mr. Rocos delivered the closing statement arguing that the Defendants' actions showed a consistent and determined pattern and conduct of fraud and dishonesty, in which the individual defendant had wrongfully absconded with millions of dollars of Bird Marella's client's money to spend on a luxurious lifestyle in Washington D.C. and West Palm Beach.

The jury took just three hours to return a unanimous verdict in favor of Bird Marella's client on each of its five claims and on the cross-claims asserted against it. The jury awarded \$5.3 million in compensatory damages, including millions against fraudulent transferees, together with an additional \$2 million in punitive damages. When combined with pre-judgment interest and costs, the total judgment will be in excess of \$10 million.