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Bird Marella Secures No Liability Arbitration Ruling for Sun Date LLC in Alleged State Insurance Fraud Qui Tam

Bird Marella partner Ron Nessim, with senior counsel Marc Masters, successfully defended Sun Date, LLC, the largest date manufacturer and distributor in the U.S., in a state court insurance fraud qui tam case.

A former Sun Date employee, the Relator in the case, alleged in his state court complaint that Sun Date knowingly made false statements in a worker's compensation filing with the intent to defraud him of benefits and he sought millions of dollars in penalties and assessments. Sun Date's defense was that while certain false statements were made, they were the product of mistake and not fraud. Once the Relator was convinced in discovery that Sun Date's defenses were significant, the parties stipulated to move the case from Superior Court to arbitration with stipulated maximums and minimums for both the award and attorney's fees.

After the February 2025 arbitration hearing, the arbitrator recently ruled that Bird Marella's client had no liability.