

### Complete Defense Verdict in \$12 Million Trade Secrets Jury Trial in NY

12.20.2017

Partners Rob Friedman, Rena Andoh and Paul Garrity and associates Tyler Baker, Jean Ripley and James Salem scored a huge victory at trial on December 19, 2017, on behalf of its clients Novantas, Inc., Executive Vice President Peter Gilchrist and Managing Director Andrew Frisbie in the case *First Manhattan Consulting Group, LLC, et al. v. Novantas, Inc., et al.*, Index No. 652492/2014 (N.Y. Supr., Ostrager, J.) with a jury verdict finding no liability on any claim in the Commercial Division of NY Supreme Court. Novantas, Gilchrist and Frisbie had been accused by Plaintiffs First Manhattan Consulting Group LLC (now doing business as FMCG Direct) and First Manhattan Consulting Group, Inc. (collectively “FMCG”) of a variety of purported wrongdoings. FMCG accused Gilchrist and Frisbie of breaches of their confidentiality and non-solicitation contract provisions as well as misappropriation of trade secrets. FMCG accused Novantas of tortious interference with the contracts at issue, misappropriation of trade secrets, and unfair competition. Following four days of trial and three hours of deliberations, the unanimous jury found in favor of Novantas, Gilchrist and Frisbie on all the contract-related claims. Justice Ostrager then proceeded to find in favor of the defendants on the two claims not sent to the jury – misappropriation and unfair competition, completing the win. The win is especially notable because it represents a rare case in which an unfair competition claim under New York law was tried to verdict. Meghan Stuer, Brad Rank, Lisa Rodriquez, Hyo Jin Paik, Moonhee Cha, Mary Lee Evers and trial star Stephanie Limbaugh provided invaluable help on the trial. Novantas has been a longstanding client of the firm through Corporate partner Shon Glusky.

#### Attorneys

Tyler E. Baker

Robert S. Friedman

Paul W. Garrity

James Salem

#### Practice Areas

Litigation