

Million Dollar Verdicts & Settlements

JUDGEMENTS

Trebled damages awarded in Lanham Act lawsuit



\$44.5 Million



Jean Howard



William Howard

In federal court, Hon. Robert J. Jonker awarded \$44.5 million to plaintiff LidoChem Inc., which includes attorneys' fees, interest and other costs. The decision comes nearly two years after a jury determined defendants Stoller Enterprises Inc., Jerry Stoller and David Alexander willfully violated the Lanham Act because of defendants' anti-competitive business activities.

Plaintiff's counsel said they had "substantial evidence that Stoller and its executives were intentionally spreading falsehoods about LidoChem and its Performance Nutrition

products over a 10-year period that ultimately interfered with LidoChem's business relationships, resulting in a substantial impact on the company and its brand."

The original verdict came down March 26, 2014, after a 20-hour trial, in which a unanimous jury awarded \$12 million to LidoChem Inc. Jonker trebled the award to \$36 million because of Stoller's actions as well as the jury's determination that the actions

were intentional. Jonker also awarded plaintiff pre-judgment interest in the amount of \$7 million and attorney fees and costs in the amount of \$1.5 million.

Plaintiff's counsel provided case information.

Type of action: Lanham Act (false advertising)

Type of injuries: Loss of business

Name of case: *LidoChem Inc. v. Stoller Enterprises Inc.*

Court/Case no./Date: U.S. District Court, Western District of Michigan; 1:09-CV-204; Jan. 5, 2016

Name of judge: Hon. Robert J. Jonker

Judgment amount: \$44.5 million

Special damages: Enhanced damages — exceptional case

Attorneys for plaintiff: William D. Howard, Jean M. Howard

Attorney for defendant: Barry G. Flynn (Houston)