

[Verdicts & Settlements]

Shareholders claim oppression, breach of fiduciary duty

They say they received less than 1% of profits; matter settles during trial

\$13 million

Plaintiff shareholders sought financial damages from defendants — Michigan corporations, LLCs and shareholders — on claims of shareholder oppression and breach of fiduciary duty.

Plaintiffs owned 25 percent of a manufacturing company. After years of receiving less than 1 percent of the profits, they brought suit, alleging that the defendant shareholders, who owned 75

percent of the business, had acted as a control unit and had diverted corporate opportunities to expand the business. They also alleged that the defendants had paid themselves excessive compensation.

Plaintiffs' counsel cited thorough depositions; meticulous review of thousands of financial documents; a strong opening statement with embedded video clips of key admissions; and rigorous trial preparation, including



MANTESE



ROSSMAN



WILLIAMSON

client direct examinations, as keys to winning.

After plaintiffs' key witness testified on the fifth day of the jury trial, the matter settled for \$13 million.

Types of actions: Shareholder oppression, breach of fiduciary duty, usurpation of corporate opportunities

Types of injuries: Loss of stock value, financial damages

Name of case: Confidential

Court/Case no./Date: Confidential; confidential; Nov. 29, 2012

Name of judge: Withheld

Settlement amount: \$13 million

Attorneys for plaintiff: Gerard Mantese, Mark Rossman, Ian Williamson

Attorney(s) for defendant: Withheld