

## Saiber Client Prevails in Federal Jury Trial

June 12, 2017

Saiber attorneys Jakob Halpern and Jennine DiSomma worked with cocounsel Robert Fischler of Ropes & Gray LLP to obtain a unanimous jury verdict on behalf of clients LPL Financial LLC and LPL Holdings, Inc. in a five-day civil trial held before the Honorable Anne E. Thompson in the United States District Court for the District of New Jersey in late March and early April.

The trial involved multiple breach of contract claims brought by the plaintiff, a former senior corporate executive of LPL, relating to LPL's decision to terminate him with "cause" as defined in certain contractual documents. The plaintiff argued that there was no "cause" to terminate him, and that LPL therefore breached the contracts by not paying him hundreds of thousands of dollars relating to severance benefits. At trial, LPL presented testimony and other evidence that the plaintiff engaged in willful misconduct and therefore was properly terminated with "cause," because he willfully and insubordinately refused to comply with LPL's instructions relating to the conditions of his employment.

After five days of testimony, the jury deliberated and promptly returned a unanimous verdict in favor of LPL in just 45 minutes.

Of course, the seeds to a successful trial are planted well in advance. In this case, Saiber attorneys supervised voluminous discovery and conducted and defended approximately 20 depositions all over the country. They also were successful in convincing the Court to dismiss many of the plaintiff's other legal claims as well as his claim for front-pay damages of more than \$9 million in advance of trial, and then prevailed on all seven of their motions *in limine* on important evidential issues to further limit the scope of such trial. These victories along the way laid the groundwork for LPL's successful defense and the unanimous jury verdict.

Saiber attorneys Ryan E. San George, Katherine Escanlar, Geri Albin, Vincent Cirilli and Monvan Hu and paralegal Rebecca Williams assisted with the defense of the matter.