

Top Verdicts & Settlements of 2005

Jury verdicts that topped \$1 million

10 \$2.73 MILLION

CONTRACT

Pasquale et al v. Casale et al

Middlesex Superior Court, No. 02-1115

Date of verdict: July 27, 2005

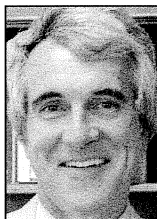
Plaintiff's attorneys: Ian Crawford and Heidi A. Nadel, Todd & Weld, Boston

Status of verdict: On appeal

► **Description of case:** The plaintiffs, who were minority shareholders in the defendant corporation and the former president of the corporation, sued the corporation and its majority shareholders for breach of duty and breach of contract. The defendant filed counterclaims alleging theft of trade secrets and breaches of fiduciary duty by the plaintiffs.

The jury concluded that the majority shareholders breached a contract that assured the plaintiffs that they would maintain management control of the company. The jury also found that the corporation breached its fiduciary duties to one of the plaintiffs. Middlesex Superior Court Judge Raymond J. Brassard entered judgment in favor of the plaintiffs on all counterclaims. He awarded the plaintiffs \$293,211 for lost dividends, directors' fees and unpaid bonuses. A judgment of \$2.436 million in favor of the plaintiffs was entered against the defendant company.

► **Turning point during trial:** Crawford cites both plaintiffs' testimony, adding that "the defendants were unable to touch them on cross-examination."



CRAWFORD



NADEL

14 \$2.09 MILLION

NEGLIGENCE & TORT

Murphy v. The Boston Herald, et al.

Suffolk Superior Court, No. 02-2424

Date of verdict: Feb. 18, 2005

Plaintiff's attorneys: Howard M. Cooper and David H. Rich, Todd & Weld, Boston

Status of verdict: On appeal

► **Description of case:** In 2002, the defendants, the Boston Herald and its reporter David Wedge, published a series of news stories that included statements allegedly made by Superior Court Judge Ernest B. Murphy in a lobby conference. Wedge later made the same allegations on a television show.

At trial Murphy established that the defendants had acted with malice. The jury awarded \$2.09 million in damages after deliberating for five days.

► **Turning point during trial:** Cooper says that "the turning point in the case was the testimony of the defendant reporter, David Wedge, who was repeatedly caught contradicting his sworn deposition testimony about critical events and conversations concerning what he was and was not told by his so-called 'sources.' ... Mr. Wedge was the very first witness in the case and in my opinion the defendants never recovered from his extremely poor appearance on the stand."



COOPER



RICH