Partner Zach Rothenberg Notches Another Litigation Win

Partner Zach Rothenberg prevailed in a two-day contempt trial on behalf of a licensed provider of assisted living services to developmentally disabled residents, against a former employee, for wrongfully poaching clients. Back in 2015, Zach won a judgment against the former employee, not only for money, but that also included a permanent injunction prohibiting the former employee from ever soliciting the clients of Zach's client. When Zach recently learned that the former employee was violating the injunction by attempting to steal clients, Zach filed papers with the Court to re-open the case and initiate contempt proceedings. During the contempt trial, Zach faced significant evidentiary challenges, including that several key witnesses were developmentally disabled. However, Zach was able to solicit testimony on cross-examination proving not only that the former employee was soliciting clients, but also that she was attempting to intimidate witnesses and, as the judge noted, potentially suborning perjury. The judge ultimately ruled in Zach's favor, awarding civil penalties and the recovery of attorney's fees.