$2,125,000 Jury Verdict Awarded to Porzio Client, Danish Crown

March 21, 2016

By: Joseph Dolan

MORRISTOWN, N.J., March 17, 2016 – On March 16, 2016, Porzio, Bromberg & Newman, PC obtained a $2,123,145.63 jury verdict for firm client, Danish Crown, after a seven-day jury trial before Judge Michael A. Shipp of the U.S. District Court.

Danish Crown is the world's largest producer of pork products and exports its products throughout the world, including the United States. In December 2008, it contracted to sell 6.6 million pounds of wide back ribs to Rupari Food Services, a United States customer. The value of the contract was approximately $20 million. Rupari agreed to take delivery of all 6.6 million pounds by December 31, 2009. But, by May 2010, Rupari had only taken delivery of approximately 4.1 million pounds of the ribs from Danish Crown, and refused to take delivery of the rest.

After several failed attempts to resolve the matter, Porzio sued on behalf of Danish Crown in September 2010. In response, Rupari filed a counterclaim seeking $8-10 million in damages, claiming the loss of a major client due to complaints about the quality of Danish Crown's ribs.

In November 2015, after two rounds of briefing and oral argument, Judge Shipp granted Porzio's summary judgment motion, dismissing Rupari's counterclaim and leaving Danish Crown's breach of contract claim and a small counterclaim by Rupari as the only issues for trial. On March 16, 2016, after a seven-day trial, the jury returned a verdict in Danish Crown's favor, awarding it $2,123,145.63 in damages.

The case was led by Porzio attorneys, Joseph G. Dolan and Peter J. Gallagher, who were assisted by senior paralegal, Andrew Dioneda.