

# VERDICTS & SETTLEMENTS

FRIDAY, NOVEMBER 6, 2020

## CONTRACTS

### BREACH OF CONTRACT

Fraud

#### Summary Judgment: Defense

CASE/NUMBER: Martin-Baker Aircraft Company Ltd. v. Teledyne Risi Inc. dba Teledyne Electronic Safety Products, and Does 1 through 10, inclusive / 2:20-cv-03796-PA-AFM

COURT/DATE: USDC Central / Oct. 6, 2020

JUDGE: Percy Anderson

#### ATTORNEYS:

Plaintiff - Joshua D. Lichtman, Katherine G. Connolly, Matthew H. Kirtland, (Norton Rose Fulbright US LLP)  
Defendant - **Gregory Evans, Tanya L. Greene, Piper A. Waldron, Gregory J. DuBoff, (McGuire Woods LLP)**

FACTS: In a separate case, Teledyne RISI, Inc. doing business as Teledyne Electronic Safety Products sued Martin- Baker Aircraft Company, Ltd. for breach of contract, fraud, tortious interference with existing contracts, trade secrets misappropriation and violation of the California Uniform Trade Secrets Act. The lawsuit terminated in Martin-Baker's favor. Subsequently, Martin-Baker filed a malicious prosecution lawsuit

against defendant Teledyne stemming from the previous action.

PLAINTIFF'S CONTENTIONS: Plaintiff contended that defendant lacked probable cause to pursue all of its claims in the lawsuit against plaintiff. Plaintiff contended that defendant made false material allegations in its complaint. Further, plaintiff contended that defendant acted with malice when it filed the lawsuit against plaintiff.

DEFENDANT'S CONTENTIONS: Defendant contended that plaintiff's malicious prosecution claim should be dismissed under the California's anti-SLAPP statute because: 1) plaintiff's malicious prosecution claim was based on protected litigation activity and 2) plaintiff could not establish a probability that it would prevail in its malicious prosecution claim.

RESULT: The court granted defendant Teledyne's special motion to strike plaintiff's complaint under the California anti-SLAPP statute.

OTHER INFORMATION: McGuireWoods LLP did not represent Teledyne in the previous action.