TRAUB LIEBERMAN

NEWS & EVENTS

December 10, 2021

Traub Lieberman Team Obtains Motion for Sanctions Against a Plaintiff for Spoliation of Critical Evidence

Related Attorneys: Michael D. Logan, Rina Clemens, Brian N. Heffner

In a case brought before the Southern District of Florida, the plaintiff alleged that he sustained injuries upon opening a package produced by Traub Lieberman's client which contained lamps. Despite ongoing litigation, the plaintiff disposed of the packaging containing the lamps. Traub Lieberman Partners Michael Logan and Rina Clemens and Associate Brian Heffner successfully established in deposition that the plaintiff knew that litigation was ongoing, that the packaging and lamps at issue were critical to the case, yet he failed to retain control of either piece of evidence. The Judge agreed, granting the Motion for Sanctions Against Spoliation of Critical Evidence and ruled that the plaintiff acted in bad faith. The case was dismissed with prejudice.

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