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Masuda Funai Showcases Excellence in Litigation Wins March/April 2017

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By: Nancy E. Sasamoto

Practices: Litigation

CHICAGO – Masuda Funai's litigators continued their string of recent victories with two wins in employment-related litigation over the last month.

Masuda Funai Achieves Complete Dismissal of Age Discrimination Claims

On April 19, 2017, the United States District Court for the Northern District of Illinois dismissed, with prejudice, all claims filed by a terminated manager against his former employer, a United States subsidiary of a Japanese company, a sister company and their Japanese parent, resulting in a complete victory for Masuda Funai's clients. The former employee filed age discrimination claims after being terminated and sought to assert his claims against the foreign parent. The case was hotly contested and the employee sought unsuccessfully to require expatriate managers who had returned to Japan to appear in Chicago for their depositions. The Defendants opposed many of the employee's discovery efforts and when he sought to compel responses, the Court flatly rejected the Plaintiff's overbroad requests and invited the Defendants to pursue their costs and fees against the Plaintiff. In the face of a pending motion to dismiss the Japanese parent company for lack of personal jurisdiction, a forthcoming motion for summary judgment that Masuda Funai was prepared to file on behalf of the two United States subsidiary defendants, and a forthcoming fee petition related to the Plaintiff's discovery tactics, the Plaintiff abandoned all of his claims. The original pre-litigation settlement demand was in excess of \$1 million. Masuda Funai's **Nancy E. Sasamoto**, and **David J. Stein** represented the Defendants.

Plaintiff Abandons Non-Solicitation Claims Against Masuda Funai Client

Similarly, on March 22, 2017, the Circuit Court of Cook County entered an Order dismissing with prejudice all claims against Masuda Funai's client in an alleged breach of a former employee's duty of loyalty to his former employer. Masuda Funai's client separated from employment with his former employer, an HVAC corporation, and was alleged to have been soliciting his former employer's customers both before, during, and after the separation to his newly established, allegedly competing company. Masuda Funai filed a Motion to Dismiss the claims and threatened to bring a motion for sanctions, at which time the Plaintiff dismissed all claims against the client, with prejudice. Masuda Funai's **Edward J. Underhill** and **David J. Stein** assisted the Defendant in having the claims dismissed without any monetary payment whatsoever.