

NEWS



FOULSTON SIEFKIN OBTAINS \$2.1M PUNITIVE DAMAGES AWARD

October 23, 2017

The Sedgwick County District Court has awarded Aeroflex Wichita, Inc., now Cobham AvComm, \$2.1 million in punitive damages for the wrongful conduct engaged in by Tel-Instrument Electronics. Earlier this year, a jury awarded Cobham AvComm \$3.3 million in compensatory damages, finding that Tel and two of its employees misused confidential business information belonging to Aeroflex and interfered with Aeroflex's multi-million dollar opportunity to upgrade and supply the Army with Identification Friend or Foe (IFF) test equipment. The jury found that the conduct caused Aeroflex to lose a multi-million dollar contract.

The court order entered by Judge William Woolley found that Tel-Instruments should be punished for malicious conduct and cited evidence that the former Aeroflex employees were hired by Tel-Instruments with the intent to use confidential Aeroflex information to pursue the contract with the Army.

"We are obviously pleased with the punitive damages award," said Holly Dyer of Foulston Siefkin, which represented Cobham AvComm. "We believe the amount is fair and sufficient both to punish Tel and to deter others from engaging in similar unfair business practices."

Aeroflex was represented by Holly Dyer and Jay Fowler of Foulston Siefkin LLP.