Bryan Cave recently obtained a $7.3 million jury verdict award in a trial that tested whether a verbal agreement on company ownership would hold up in court. Jurors in Jackson County Circuit Court on April 21 awarded actual damages to our client Patricia Aspenleiter, the former president of a Lee’s Summit laboratory now valued at about $48.5 million. The jury found in favor of Aspenleiter on both of her counts of breach of contract and fraudulent misrepresentation against ViraCor Laboratories and company owner and founder Phillip Short.

Bob Thompson and Bob Hoffman in Kansas City, and Sarah Swatosh in St. Louis, represented Aspenleiter. Lee Ann McWhorter in Kansas City was the legal assistant for the case. Husch Blackwell Sanders represented ViraCor and Short.

Aspenleiter said her ownership status was based on a verbal agreement with Short when she was hired, and that she should have retained her 15 percent of

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ownership despite her subsequent termination. She testified that he promised her 2 percent of ownership in their original conversation, but that the percentage grew over the years. Short claimed Aspenleiter waived her rights to any ownership when she was terminated. Aspenleiter contended that she helped build the start-up company ViraCor from $300,000 in annual revenue to a multimillion dollar company that merged with IBT Laboratories two years after she was terminated.

Bryan Cave’s trial team showed jurors numerous documents where Short listed Aspenleiter as an owner, showing she had a 15 percent interest. Short’s attorneys claimed Aspenleiter was terminated for a string of events involving her relationship with an employee, whom she promoted and later married. Short had filed a lawsuit against Aspenleiter alleging she was responsible for a sexual harassment claim filed against the company. The claim was dropped as part of the agreement that ViraCor and Short would pay the entire $7.275 million balance of actual damages within 75 days and waive their right to an appeal.

Click here view the article from The Daily Record.

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