Wheeler Trigg O'Donnell

Former Franchisees Ordered to Pay $2M Attorneys' Fees in WTO's Defense of Peaberry Coffee Lawsuit

News
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DENVER: Denver District Court Judge Anne Mansfield ordered all plaintiffs to pay over two million dollars in attorneys' fees and costs to Peaberry Coffee Franchise, Inc. The expenses stem from the successful defense by Wheeler Trigg O'Donnell partner Hugh Gottschalk of a complex lawsuit brought by Peaberry's franchisees. [*Colorado Coffee Bean, LLC v. Peaberry Coffee, Inc.*, 2006 CV 4514 (Colo. Dist. Ct. 2009)] Ten franchisees alleged a variety of fraud-in-the inducement and breach-of-contract claims against Peaberry, seeking nearly $30 million in actual and punitive damages. The case involved over 50 depositions, several rounds of briefing, and two hearings. It culminated in a five-week trial that spanned several months and included over 35 witnesses. The Court concluded that the requested attorneys' fees were reasonable and appropriate for the work performed, and that the rates charged and the hours invested in the case by Wheeler Trigg O'Donnell, although substantial, were appropriate given the complexity of the litigation and the length of the trial.

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