

FIFTH CIRCUIT AFFIRMS MAJOR JURY VERDICT FOR DALLAS FOOD EXPORTER, BELL NUNNALLY CLIENT

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F. Syed recently had a favorable client verdict affirmed in a *per curiam* opinion issued by the U.S. Court of Appeals for the Fifth Circuit. The outcome affirms a “win” on behalf of Bespoke Group, LLC – a Dallas-based processor and exporter of dried food, including lentils, peas, chickpeas and other bean crops – and its sole owner and member Divyesh Patel in a case involving allegations of fraud brought by HostingExtreme Ventures LLC.

HostingExtreme accused Bespoke Group and Patel of making fraudulent representations and inducing Prosper Trade (a company that sold its claim to HostingExtreme) to enter into a contract to ship 180 metric tons of dried green peas. The suit alleged that Patel did not have the peas or the ability to execute the contract. Bespoke Group countered that the peas were unable to ship due to extreme weather in 2013 affecting railroads in the United States. In 2018, after a two-day trial and only 10 minutes of deliberation, a jury seated in the U.S. District Court for the Northern District of Texas rejected Prosper’s argument, finding in favor of Bespoke Group – a decision that has now been upheld on appeal.

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Litigation

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