

Susman Godfrey is Ranked in The National Law Journal's Top 100 Verdicts of 2010

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DALLAS, TEXAS-March 24, 2011. The National Law Journal just released its list of the Top 100 Verdicts of 2010. Top Verdict #8 on that list was Dillard's, Inc. vs. i2 Technologies, Inc., tried in Dallas County District Court.

The lawyers representing Dillard's, the national department store chain, were Ophelia Camiña and Terry Oxford of the Dallas office of Susman Godfrey, LLP.

The dispute arose after Dillard's, Inc. (DDS) licensed supply chain software from i2 Technologies, Inc., now a subsidiary of JDA Software Group, Inc. (JDAS). The software, called Replenishment Planner and Demand Planner, was licensed to help Dillard's make replenishment decisions for its merchandise. After finding that the software didn't do what i2 represented, Dillard's hired Terry Oxford and Ophelia Camiña to file suit against i2 alleging fraud, breach of contract and breach of warranty. Dillard's alleged that the licensed software lacked essential functionality and that i2 intentionally misrepresented the products' capabilities. i2 then countersued Dillard's alleging breach of contract and misappropriation of trade secrets.

After five weeks of trial, the verdict was delivered late Tuesday, June 15, 2010 in the 191st District Court. The Dallas jury found i2 liable for fraud and breach of warranty, awarding over \$76 million in benefit-of-the-bargain damages and \$150 million in punitive damages against i2. The jury also rejected i2's counterclaims. "If you saw the evidence, you would agree, it was the right result" said Camiña of the verdict, "justice prevailed."

After lengthy post-trial motions were heard and denied, a Judgment for over \$239 million, including pre-judgment interest, was entered. The case is currently on appeal.