

News

Olympic Eagle Distributing Case Listed in Daily Journal's "Top Verdicts"

02.21.20 Foster Garvey Newsroom

The *Daily Journal*, California's largest business publication, has recognized Foster Garvey's victory in *Monster Energy Company v. City Beverages LLC* in its "Top Verdicts" section, a recap of the largest and most significant verdicts and appellate reversals in California in 2019. The *Daily Journal* said the "ruling could change how alternative dispute resolution companies handle cases."

The U.S. Court of Appeals for the 9th Circuit ruled in October 2019 that arbitrators must disclose an ownership interest in their alternative dispute provider organization. Because an arbitrator with JAMS failed to disclose that his ownership gave him an interest in all the company's business with Monster Energy, the 9th Circuit vacated the arbitration award against our client, City Beverages, also known as Olympic Eagle Distributing.

The decision stems from a 2006 dispute over an agreement between Olympic Eagle, and Monster Energy, to sell the company's drinks for 20 years in an exclusive territory in Washington state. When Monster terminated the agreement 12 years early, as part of its \$2.15 billion equity transaction with Coca-Cola Co., Olympic Eagle sought relief under the Washington Franchise Investment Protection Act, which prohibits termination prior to the end of the term without cause.

Foster Garvey attorneys Mike Vaska, Rylan Weythman and Devra Cohen represented Olympic Eagle Distributing in the matter.

Subscribers to the *Daily Journal* can read more at www.dailyjournal.com.

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