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And The Defense Wins

[Bud Worthington](#) and [James T. Carroll, IV](#) of Coghlan Crowson, LLP in Longview, Texas teamed with DRI President, [Patrick A. Long](#), and [Warren B. Campbell](#) of Long, Williamson & Delis in Santa Ana, California to defend CSW Energy Services, Inc. (CSW) and American Electric Power Company, Inc. (AEP) in a declaratory judgment action brought by Currie Technologies, Inc. to obviate a settlement agreement and to pursue claims for breach of contract, fraud and anti-trust violations in the U.S. District Court for the Central District of California. CSW filed a counterclaim for breach of contract and conversion.

The case concerned an agreement between CSW and Currie for the distribution of electric scooters and bicycles throughout the United States and a subsequent agreement between the same parties to resolve any differences arising from their distribution agreement. CSW contended that Currie failed to honor its obligations under the settlement and sought to avoid those obligations by instituting this legal action raising multiple defenses, and further sought to recover alleged lost profits under the initial distribution agreement. CSW denied any liability, based on a prior settlement and release, and countersued to recover monies owed by Currie under the settlement and for conversion.

After a variety of procedural battles and discovery, the court granted summary judgment denying Currie's claims in their entirety. The court also granted CSW's motion for summary judgment on its counterclaims, awarding more than \$ 2.7 million in damages. A motion for an award of attorneys' fees and costs is still pending.

