

# Daily Journal

FEBRUARY 19, 2020

## Top Verdicts

The largest and most significant verdicts and appellate reversals in California

### TOP DEFENSE VERDICTS

# Roumi v. California Institute of Technology



JOHN C. HUESTON



MOEZ M. KABA



VARUN BEHL



JOSEPH A. REITER



MICHAEL H. TODISCO

**D**r. Farshid Roumi, hired to pursue a federal grant to develop a new lithium-ion battery, sued the California Institute of Technology over claims he was wrongly fired in 2016 for exposing misuse of government funds and research misconduct. He asserted he suffered more than \$65 million in economic damages and millions more in punitives due to Caltech's termination of his position and related reputational harm.

"At one point he was demanding more than nine figures, and he was trying to call into question Caltech's integrity as a research institution and its relations with the Department of Energy," said Moez M. Kaba, the Hueston Hennigan partner who led the school's defense with firm founder John C. Hueston. "But there was no misconduct on the school's part and Caltech was determined to fight the claims."

Hueston and Kaba decided early on to skip the demurrer stage.

"You accept the allegations as outrageous as they may be and go right to discovery," Kaba said. "John and I agreed we'd hang around the plaintiff's neck the false allegations he'd made."

Through depositions, Hueston and Kaba added, they forced Roumi into certain positions that they knew would haunt him at trial. A largely successful summary judgment motion eliminated 10 out of 12 of the plaintiff's claims.

"He was purporting to be a whistleblower and claiming he was making the next generation of batteries. So we purposely did not ask at his deposition about some PowerPoint claims we'd seen that were complete lies," Hueston said. "That way, at trial we could take him on as lead witness and attempt to destroy his credibility."

Through a multi-day cross-examination at the three-week trial, Hueston forced Roumi to react instantly on the stand to questions he hadn't known were coming.

"He couldn't articulate his reasons for his misstatements to investors and others," Hueston said. "That tainted his credibility for the entire case. This is a smart person, and we knew if we gave him advance notice of our line of questioning, he could have come up with reasons."

The jury was back within three hours with a complete defense victory. *Roumi v. California Institute of Technology*, BC654132 (Los Angeles County Sup. Ct., filed March 14, 2017)

Mark T. Quigley, the Greene Broillet & Wheeler LLP partner representing Roumi, did not reply to a request for comment. The case is on appeal.

— John Roemer

### case INFO

**Wrongful termination**

**Los Angeles County**

**Superior Court Judge  
Monica Bachner**

#### Defense lawyers:

Hueston Hennigan LLP,  
John C. Hueston, Moez M.  
Kaba, Varun Behl, Joseph  
A. Reiter, Michael H.  
Todisco

#### Plaintiff's lawyers:

Greene Broillet & Wheeler  
LLP, Mark T. Quigley,  
Christian T. F. Nickerson