

Nomad Management Loses Three Key Rulings Against Industry Model Group in Trade Secrets Lawsuit

Lawsuit: Former Industry vice president took confidential information for Nomad

LOS ANGELES, CALIFORNIA, USA, January 22, 2019 /EINPresswire.com/ -- A Los Angeles Superior Court judge has ruled that a lawsuit will proceed against the co-founder and director of Nomad Model Management LA and former employees of [Industry Model Group](#) for misappropriation of trade secrets, breach of contract and unfair competition, and that countersuits against Industry will be dismissed, in a series of rulings handed down against Nomad Model Management.

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Attorney Robert Tauler

In the first ruling, Judge Maureen Duffy-Lewis denied a Motion for Summary Judgment brought by Nomad Management and former employees ruling there was sufficient evidence against the defendants, who the lawsuit accuses of conspiring to raid Industry computer files and

download proprietary information before leaving to start Nomad Los Angeles with fashion model Coco Rocha. In denying Nomad’s Motion for Summary Judgment, Duffy-Lewis on Jan. 11 wrote that “Defendants have failed to meet their burden to show that the plaintiff failed to produce any evidence. To the contrary, defendants present such evidence in their moving papers...”

In a second ruling dismissing the countersuit, the Court ruled that Industry’s prohibition of the defendants from entering the premises of [Pier 59 Studios](#), a premiere commercial photography studio affiliated with Industry, was protected activity that could not form the basis of a countersuit. Nomad and the Coco Rocha Company were ordered to pay \$7,377.50 in attorney’s fees under California’s Anti-SLAPP law.

At oral argument, [Robert Tauler](#), of Los Angeles-based Tauler Smith LLP, argued that allowing the countersuit to proceed would be akin to forcing Industry to allow “a fox into the hen-house.”

In the third ruling, Judge Duffy-Lewis ruled against the defendants’ attempt to have the lawsuit dismissed against former Industry Vice-President Giovanni Bernardi on grounds that it should have been filed in New York, ordering that the case would proceed as to Bernardi in California.

Federico Pignatelli, President of Industry Model Group and Pier 59 Studios, commented “I am pleased with the court’s rulings. Industry will always enforce its rights and protect its property no matter the circumstance.”

According to court documents, Bernardi signed confidentiality agreements when Industry hired him in March 2017 as executive vice president of business development. Bernardi resigned in September 2017 and formed Nomad immediately afterwards. Following his departure, a review of Bernardi’s computer revealed that numerous files of proprietary information had been downloaded on the eve of his resignation, according to the lawsuit, filed in May 2018 in Los Angeles Superior Court. The confidential information included spreadsheets of model earnings,

client sales, sales projections and client and company contact lists for both Industry Model Group and Pier 59 Studios.

"It is clear that Bernardi only took the position at Industry to obtain trade secrets, confidential information, employees and resources for his own venture," Tauler wrote in the lawsuit. Court papers argued that co-defendants conspired to join Bernardi at Nomad "to advance their interests at the expense of Industry" and that the co-defendants were "in constructive possession" of the trade secrets due to the overlap in their respective roles at Bernardi's new venture.

Tauler Smith LLP specializes in high-stakes commercial litigation in a variety of areas, including unfair competition, breach of contract, breach of fiduciary duty, general business disputes and false advertising.

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