

LITIGATION

SUPPORT SERVICES



TECHNOMIC

Food Industry. Facts. Insights. Consulting.

How can Technomic help you build a WINNING CASE?

The successful outcome of litigation is often based on your ability to provide objective, understandable and defensible arguments. In the foodservice industry, Technomic has a unique position to provide effective litigation support services.

Our knowledge of the industry and its evolution provides the foundation for offering solid advice on what issues to present and how to present them. Technomic's unparalleled database on the restaurant industry dates back over 45 years, providing a time line of information to cover almost any litigation period. If desired, we can also provide senior-level staff as testifying experts. And since our primary activity is consulting to the industry, we are not perceived as "professional expert witnesses."

Consider some of the issues and questions we can help you resolve:

- **Developing tactics and strategy.** What type of data is available to prove your perspective? How can you make your presentation as understandable and defensible as possible?
- **Obtaining industry information.** What was occurring in the industry and your segment during the time period in question, and how did it impact your issues? What data is available? Is it reliable and suitable for the issues at hand?
- **Evaluating and critiquing the opponent's case.** Where are the weak points or flaws in their experts' positions? What type of industry-specific information can be obtained during discovery and deposition?
- **Building an argument that a jury can believe and understand.** How do you make a complex issue understandable to a jury? Can you present your position with minimal exposure to cross-examination?
- **Providing experts to testify to the key issues.** How believable is your expert witness? How knowledgeable and capable is he/she in presenting the issues in a court room environment?



If you're facing litigation matters and need a **STRONG TEAM** of foodservice professionals on your side, call us. Here are some specific ways we have helped clients in litigation cases:

▶ **Foodmaker vs. Vons, Inc.**

This case focused on the damages Foodmaker incurred when its restaurant chain, Jack in the Box, served E. coli-tainted hamburgers supplied by Vons. Technomic was retained to form the basis of the loss in sales and new units resulting from the incident. We also helped Foodmaker's counsel structure the argument and find other experts. The case was settled prior to trial to the client's satisfaction.

▶ **Loher vs. Hot n' Now**

A prior franchisee of Hot n' Now brought action against Taco Bell alleging they mismanaged the Hot n' Now chain. Technomic demonstrated that the double drive-through hamburger segment failed during the years in question. The jury found all issues in favor of our client, ordering the franchisee to pay both back payments as well as legal fees.

▶ **Hard Rock America vs. Hard Rock Cafés International**

In this arbitration case, Hard Rock America brought action against colicensee, Hard Rock Cafés International regarding their minority interest in the first Planet Hollywood in New York. Technomic worked with the defense counsel in helping to structure the arguments, finding complementary experts and presenting testimony regarding trade secrets and trade dress. The case was settled to the satisfaction of our client.

These are just a few examples of how we've helped other companies build a winning case. To learn more about how we can assist your organization, please call us at 312-506-3929.

ABOUT TECHNOMIC

Founded in 1966, Technomic is the leading management consulting and marketing research firm specializing in the restaurant industry and related foodservice businesses. Our clientele includes many of the top 200 restaurant companies and emerging chains, as well as on-site foodservice operators, supermarkets, convenience stores and financial institutions serving the foodservice industry.

We provide thought leadership to the industry by excelling in:

Experience: Our consultants are among the most respected professionals in the industry, with decades of management, operations, marketing, design and consulting experience.

Problem-Solving Methodology: Our methodology combines the latest best practices with proven, time-tested approaches. We customize the work plan for your specific situation.

Concept Knowledge: Our consultants travel extensively, both domestically and internationally, experiencing and evaluating new, successful concepts first-hand.

Industry Data: Tracking developments since 1966, our research database and full-time library staff provide an unparalleled resource for industry information, trends, directions, and insights.

Our unique resources combined with your firm's understanding of your unique concerns provide the thought leadership which can help your company prosper.

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