



[Back to News](#)

Novack and Macey Clients Win: Trial Court Victory Is Affirmed on Appeal in “Mooning” Case

AUGUST 22ND, 2012

The First District Court of Appeals in Illinois unanimously affirmed a trial court decision granting summary judgment in favor of Novack and Macey LLP’s clients.

The case arose when an employee — who had “moonied” two of his superiors — sued Novack and Macey’s clients after he had been terminated “for cause.” As a result of his “for cause” termination, the employee alleged that he had forfeited a \$2 million plus “earn out” to which he would have been entitled had he not been fired. He further alleged that “mooning” his superiors did not justify a “for cause” termination under the specific terms of an alleged employment contract, and that a warning letter given to him following the “mooning” incident was a contractual guarantee that he could not be terminated as a result of his misconduct. The case garnered a lot of media attention and was widely reported in the U.S. and U.K. press.

The Novack and Macey lead attorney on this case was [P. Andrew Fleming](#). He and [Christopher S. Moore](#) filed for, and obtained, summary judgment on behalf of their clients. They also led the appellate briefing.

For more information about this decision or Novack and Macey, please contact Mr. Fleming at (312) 419-6900 or info@novackmacey.com.