

[Back to News](#)

Novack and Macey Obtains a Complete Defense Verdict for its Client in a Pennsylvania Court

NOVEMBER 20TH, 2013



Eric Macey

Novack and Macey obtained a complete defense verdict for its client, a publicly traded master limited partnership, in a case brought by a former employee who was pursuing alleged rights under an incentive agreement issued pursuant to a SEC-registered long-term incentive program. The case involved the interpretation of a clause in the incentive agreement which purported to require payment of equity to the employee even if the employee retired before the end of the term of the agreement. Novack and Macey prevailed after a three-day bench trial held in West Chester County, Pennsylvania (located outside of Philadelphia).

Even though the agreement was drafted by Novack and Macey's client, the Court declined to interpret the agreement against the drafter. Instead, the Court relied on the ample and undisputed extrinsic evidence presented by Novack and Macey at trial, demonstrating that the whole purpose of the agreement was to retain the employee for the full term of the agreement.

[Eric N. Macey](#) and [Richard G. Douglass](#) conducted the trial, assisted by [Amanda M. H. Wolfman](#).



Richard Douglass

For more information, contact Eric Macey or Richard Douglass at (312) 419-6900.