



JURY FINDS BOEING LIABLE FOR \$81.3 MILLION FOR TRADE SECRET MISAPPROPRIATION

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New York—Holwell Shuster & Goldberg LLP secured a significant jury verdict against Boeing, one of the world's largest aerospace companies, in litigation alleging the behemoth stole substantial trade secrets from aircraft startup Zunum Aero, Inc. related to the development of electric and hybrid-electric aircrafts.

“Zunum was way ahead of the game in the design and development of hybrid-electric commercial jets,” said Scott Danner, lead counsel to Zunum. “The company had an enormous opportunity to remake air travel, but Boeing took that opportunity away. We’re glad the jury agreed.”

Zunum, which was founded in 2013 by an MIT-trained aeronautical engineer and a former senior executive at Microsoft and Google, aimed to transform the aerospace industry by developing novel technology to introduce hybrid-electric propulsion to airplanes. In 2016, the company approached Boeing concerning an investment and the parties entered non-disclosure agreements that gave Boeing access to Zunum’s proprietary information, but restricted Boeing’s use of the information. Zunum contended that Boeing nevertheless began scheming to incorporate Zunum’s trade secrets into its own ambitions for electric jet propulsion, in violation of those NDAs.

The nine-member jury unanimously determined that Boeing misappropriated 11 of Zunum’s trade secrets and unjustly enriched itself in the process, and that the Boeing misappropriations were willful and malicious. The jury also found that Boeing breached one of the NDAs and tortiously interfered with Zunum’s prospective relationship with the Safran Group, a French aerospace conglomerate.

The jury awarded Zunum damages of \$81.3 million for trade secret misappropriation, \$67.08 million for breach of contract, and another \$11.56 million for tortious interference. The case is currently in post-verdict proceedings.

The HSG trial team consisted of partners Scott Danner and Vincent Levy, associates Brian Goldman, Charlotte Baigent, Benjamin Ahn, and Adam Burton, law clerk Rebecca Kelly, and paralegals Michael Brestin and Juliette Berger. Steven W. Fogg of Corr Cronin LLP served as local counsel to Zunum.

Perkins Coie LLP and Hueston Hueston Hennigan LLP represented Boeing. Judge James L. Robart of the U.S. District Court for the Western District of Washington presided over the trial.

HSG’s win garnered extensive media coverage, including in Forbes, Reuters, MSN, the Seattle Times, and various legal publications, including The American Lawyer’s Litigator of the Week column.

The case is *Zunum Aero Inc. v. The Boeing Co. et al.*, case number 2:21-cv-00896.

ATTORNEYS

Charlotte Baigent

Scott Danner

Brian T. Goldman

Vincent Levy