



HOLWELL SHUSTER & GOLDBERG WINS \$101 MILLION JURY VERDICT AGAINST WALMART OVER PANDEMIC PROTECTIVE GEAR

04.09.2024

New York—Holwell Shuster & Goldberg LLP today won a \$101 million jury verdict against Walmart, the world’s largest retailer, in a lawsuit alleging that Walmart wrongfully cancelled its contract to purchase more than \$500 million in personal protective equipment, or “PPE.” Partners Brendon DeMay and Priyanka Timblo served as co-lead counsel for the plaintiff, London Luxury. The case was tried over 10 days and 13 witnesses in Walmart’s hometown in the United States District Court for the Western District of Arkansas.

“Walmart executives made a bad bet on PPE prices. When prices dropped, they tried to cancel the contract and invent excuses rather than take responsibility for their bad business decisions. They even tried to blame their own lower-level employee who did all the hard work to source PPE,” said DeMay and Timblo in a joint statement. “We are grateful that the jury saw through Walmart’s pretexts and found for our client.”

Evidence at trial demonstrated that Walmart agreed to buy billions of nitrile examination gloves in the disputed contracts, which were signed amidst the Covid-19 pandemic as demand for PPE skyrocketed. Walmart intended to resell the gloves to business customers in what would have been a novel business-to-business transaction for the retail giant in a failed attempt to compete with Amazon.

Walmart counterclaimed for breach of contract, alleging that London Luxury bribed the Walmart employee who led the gloves deal, took too long to deliver gloves, and delivered gloves that failed to meet quality testing and other specifications.

The jury awarded London Luxury \$101,218,680 on its breach of contract claims. The jury rejected all of Walmart’s breach of contract counterclaims. Walmart also asserted tort claims, and the jury awarded a mere \$350,000 on those claims.

Additional members of the HSG trial team included counsel Karen Sebaski, associates Jordan Pietzsch, and Ian Miller, staff attorneys Laura Lefkowitz and Kamran Khan, and paralegals Aayush Jonnagadla and Christine Sun. Scott Richardson of McDaniel Wolff PLLC served as Arkansas counsel to London Luxury.

Walmart was represented at trial and throughout the litigation by Jones Day and Quattlebaum, Grooms & Tull. Judge Timothy L. Brooks presided over the trial.

HSG's trial win garnered extensive media coverage, including in Reuters, Law360 (including Law360's Legal Lions column), Bloomberg Law, Arkansas Times, and Arkansas Business, among many others. Brendon and Priyanka were also named The American Lawyer's Litigators of the Week.

The case is *London Luxury LLC v. Walmart Inc.*, 22-cv-5059 (W.D. Ark.).

ATTORNEYS

Brendon DeMay

Kamran A. Khan

Laura J. Lefkowitz

Ian J. Miller

Karen A. Sebaski

Priyanka Timblo