

Shutts & Bowen Litigation Team Discusses Wyndham Timeshare Advertising Fraud Case with the Daily Business Review

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In a recent *Daily Business Review* article examining the \$16 million penalty awarded to Wyndham Vacation Ownership and its affiliated entities in a timeshare advertising fraud case, [Bud Bennington](#), [Glennys Ortega Rubin](#) and [Benjamin Elliott](#), members of the Shutts & Bowen Litigation Team, discussed the successful prosecution of the suit's defendants.

"In this matter, Wyndham alleged false advertising claims under the Federal Lanham Act, along with claims that the defendants violated Florida's 'Deceptive and Unfair Trade Practices Act,' and that the parties tortiously interfered with Wyndham's contracts. This judgment holds the individuals directing the false advertising scheme personally responsible for their actions," said Bud Bennington.

According to Benjamin Elliott, the case had a unique challenge – much of the discovery happened in the midst of the COVID-19 pandemic. "We were tasked with collecting evidence and discovering the facts while confined to our homes during COVID," said Ben. "As a result, we conducted many depositions via Zoom and engaged in more remote discovery than usual, which ties into one of the challenges."

Another challenge the Litigation Team faced was how the defendants handled the discovery. Glennys Ortega Rubin recalled that "there was constant discovery stonewalling, hiding of evidence, and that ultimately the violations of numerous discovery orders, and when all of that false testimony put forth and all got culminated in the heaviest sanction that you can have, which was the striking of the pleading and the default being entered."

The Shutts Litigation Team, also comprised of [Eric Christu](#) and [Michael Quinn](#), noted that the award represented one of the largest known monetary awards of its kind against timeshare exit companies and related individuals and will have serious implications on similar cases.

To read the full article, please click [here](#).



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