

Press Release

Akerman Team Prevails in Multimillion Dollar International Litigation

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An Akerman litigation team prevailed October 6 in a multimillion dollar international litigation spanning Spain, Latin America, and the United States. A Florida appellate court sided with Akerman client Cell Consumer Electronics Logistics, SA, which had won a summary judgment in a Spanish court over a former joint venture partner in the mobile phone industry. Cell Consumer and its partners had provided cell phone distribution services to Telefonica Internacional, S.A., a telecom company based in Spain. Telefonica had agreed to raise €70 million (about \$81 million) for a joint venture, but failed to do so, and then sued Cell Consumer for \$35 million in damages. Cell Consumer won on summary judgement in Spain, Court of First Instance in Alcobendas, Kingdom of Spain, but sued again in the Circuit Court of the Eleventh Judicial Circuit in South Florida, where the court enforced Spain's foreign judgment and barred any new claims under Florida law.

“This is a great victory for our client, Cell Consumer Electronics,” said lead litigator Francisco Rodriguez, of the firm’s Miami office. “The court has made it clear that companies can rely on fair rulings in overseas courts, and do not need to try the same facts in multiple jurisdictions. We are delighted that this matter is finally put to rest.”

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Cell Consumer is a wholly owned subsidiary of Celistics Holdings, SA, a mobile phone distributor in Latin America.

On appeal last week in the Florida Third District Court of Appeal, Cell Consumer won again, as the Court affirmed the judgments based on *res judicata*—literally “a judged matter”—the principle that a cause of action may not be relitigated once it has been judged on the merits.

The lawsuit, which began more than 11 years ago in Spain, has likely met its conclusion with the October 6 decision.

The Akerman litigation team, in addition to Rodriguez, included partners Sandra Millor and Kristen Fiore, paralegal manager Tracy Leal, and paralegal Nancy Perez. The opposing counsel was Greenberg Traurig.

About Akerman

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