

Press Release

Akerman Prevails in Missouri Appellate Court, Affirming \$22 Million Trial Verdict in Software Dispute

January 23, 2025

An Akerman trial team successfully represented software provider EngagePoint in a Missouri appellate court, with the court affirming our client's \$22 million trial verdict related to the rollout of the state's Medicaid eligibility and enrollment platform in 2013. Our team was led by litigation partners [Julian Dayal](#) and [Shawn Taylor](#).

EngagePoint, which was hired as the prime contractor to build the platform, filed suit against the State of Missouri for damages related to work the State forced it to perform outside the scope of the parties' fixed-price contract. EngagePoint argued it was entitled to additional payment because the extra work it had been forced to complete was caused by defective third-party software procured by the State, changes in the final product's specifications, and oversight challenges at the state and federal levels. The State of Missouri responded with a countersuit for breach of contract.

After a five-week jury trial, a Missouri jury awarded EngagePoint \$18 million in damages, while rejecting all of the State's counterclaims. The court also awarded \$4 million in holdback damages, as well as pre-judgment interest of approximately \$14 million.

On appeal, the State challenged the trial court's key legal rulings, the evidence at trial, the jury

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instructions and verdict forms, the availability of interest, and the constitutionality of the verdict. After more than two years of motions practice and briefing, including numerous fights over the extensive trial record and the State's attempt to transfer the case from the Missouri Court of Appeals to the Missouri Supreme Court, the Court of Appeals rejected all of the State's arguments and affirmed the trial court's verdict. It adopted Akerman's synopsis of the evidence and agreed with Akerman that not only was the State wrong on the merits, many of the State's arguments on appeal had not been preserved at trial.

"This victory was a total team effort. We are thrilled with this result. EngagePoint held up its end of the contract, and this helps to remedy the damage done by the State's actions," Julian said.

About Akerman

Founded in 1920, Akerman is recognized as one of the country's premier law firms, with more than 700 lawyers in 26 offices throughout the United States.