

Saiber Successfully Obtains Dismissal in \$261 Million Federal Court Fraud Lawsuit

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Saiber attorneys Marc E. Wolin and Alex C. Banzhaf recently obtained a dismissal with prejudice on behalf of Saiber's clients in a case where an Indiana-based business and its principal filed an action in the United States District Court for the District of New Jersey against multiple businesses, an Indiana municipality and an associated government agency. The plaintiffs, a disgruntled business and its owner, alleged a massive fraud in connection with an Indiana project aimed at turning sludge into diesel fuel through a process known as "dewatering." Plaintiffs, claiming at least \$261 million in damages, alleged various "pay-to-play" schemes involving all of the defendants in the matter and, specifically as to Saiber's clients, alleged violations of the New Jersey Consumer Fraud Act and tortious interference.

Working in tandem with Indiana counsel, Marc and Alex prepared and filed a motion to dismiss arguing that there were no plausible allegations connecting Saiber's clients with any of the fraud or tortious interference claims set forth in the Plaintiffs' complaint, that the lawsuit should be dismissed for lack of personal jurisdiction and improper venue and that previous lawsuits barred Plaintiffs' suit on the basis of *res judicata*. The presiding judge, Honorable Michael Vazquez, U.S.D.J. found that all of Plaintiffs' claims against Saiber's clients were non-cognizable, and therefore dismissed them with prejudice.