

Court Holds that Disgorgement Award for Breach of Fiduciary Duty Was Neither Punitive Nor Excessive and that Exemplary Damages Were Reasonably Proportioned to Damages

03.04.16

A court of appeals recently issued an opinion rejecting a fiduciary's claims regarding the excessiveness of the trial court's judgment that awarded disgorgement and exemplary damages. In *Swinnea v. ERI Consulting Engineers, Inc.*, Snodgrass and Swinnea owned equal interests in ERI, a small consulting company that managed asbestos abatement projects, for approximately ten years. No.... [Continue Reading](#)