

NEWS

A technical drawing of a mechanical assembly, possibly a pump or engine component, rendered in white lines on a dark blue background. The drawing includes various circular and rectangular outlines, dimension lines with numbers, and labels such as '10', '1', '2', '3', '4', '5', '6', '7', '8', '9', '10', '11', '12', '13', '14', '15', '16', '17', '18', '19', '20', '21', '22', '23', '24', '25', '26', '27', '28', '29', '30', '31', '32', '33', '34', '35', '36', '37', '38', '39', '40', '41', '42', '43', '44', '45', '46', '47', '48', '49', '50', '51', '52', '53', '54', '55', '56', '57', '58', '59', '60', '61', '62', '63', '64', '65', '66', '67', '68', '69', '70', '71', '72', '73', '74', '75', '76', '77', '78', '79', '80', '81', '82', '83', '84', '85', '86', '87', '88', '89', '90', '91', '92', '93', '94', '95', '96', '97', '98', '99', '100'.

Winston Recovers \$24.5 Million in India Theft of Trade Secrets Case

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After a three-year battle involving a conspiracy on two continents, Winston secured a \$24.5 million jury verdict for client Suncoast Post-Tension, Ltd. in federal court in Houston.

Suncoast provides engineering services and supplies related to post-tensioning for concrete used to construct high-rise buildings. The case began in 2012 when defendant and entrepreneur Sandeep Patel secretly approached Suncoast engineer Peter Scoppa regarding the formation of a rival company. Four months later, Messrs. Scoppa and Patel formed PT USA, Inc. using engineering drawings Mr. Scoppa had taken from his employment at Suncoast. In the ensuing months, four jobs that Mr. Scoppa had bid for and won while at Suncoast were switched to PT USA. The theft of trade secrets was discovered in April 2013 when a contractor mistakenly sent drawings from PT USA to Suncoast. The Suncoast engineer immediately recognized the drawings as Suncoast's with only the company name switched at the top. Suncoast then enlisted Winston to retrieve their intellectual property and bring claims against Mr. Scoppa. But in a scheme to hide the truth, Mr. Scoppa claimed that he had received the drawings from Raul Christian, a source of his in India who was not connected to Suncoast, and that the drawings were in the public domain.

In October 2013, Suncoast filed suit against Messrs. Scoppa and Patel, PT USA, and Sterling Engineering Group of Companies (also owned by Mr. Patel and involved in the scheme) for copyright infringement, theft of trade secrets, breach of contract, tortious interference, and unfair competition. Critical to the case was the recovery in central India of stolen computer images of the Suncoast system used to design and build high-rises.

During early depositions, it became obvious to the Winston team that Mr. Scoppa had been destroying email evidence. Former Partner convinced the court to require that a neutral expert forensically examine two of defendants' computers—and as expected, that expert found destruction of thousands of emails and other documents during the case. But Ms. Falk forensically recovered a few key emails, including ones that revealed the fact that Mr. Patel had approached and convinced an employee named VJ Christian to email the drawings in question to Mr. Scoppa. Mr. Christian worked for Concord Engineering Services, which is owned by Keller Group Plc, the same company that owns Suncoast.

During the five-day trial, former Partner was able to show the destruction of evidence and illustrate that Messrs. Scoppa and Patel had lied in their deposition testimony regarding their knowledge of VJ Christian and the origin of

the drawings. The eight jurors found in Suncoast's favor on all counts and awarded \$8 million in damages, \$3 million in statutory damages, and \$13.5 million in punitive damages. Of note, Mr. Scoppa is individually responsible for \$1 million and Mr. Patel for \$5 million in punitive damages.

Coverage of this Winston victory was included in various outlets, including the [Houston Chronicle](#).

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