

**BREACH OF CONTRACT**

## Purchaser failed to pay for wireless antennas

**VERDICT (P)**      **\$107,500**

**CASE**                    Ace Antenna Co. v. Telular Corp.  
**CROSS-COMPLAINT** Telular Corp. v. Ace Antenna Co.,  
 No. CV 02-4775-JFW (SJX)  
**COURT**                United States District Court, Central District, Los Angeles, CA  
**JUDGE**                John F. Walter  
**DATE**                    7/21/2003

**PLAINTIFF**  
**ATTORNEY(S)**      Gregory S. Kim, Kim & Lee, Los Angeles, CA  
 Vincent Chan, Law Office of Vincent Chan, Pasadena, CA

**DEFENSE**  
**ATTORNEY(S)**      David W. Haller, Covington & Burling, New York, NY  
 Nancy P. McClelland, Gibson, Dunn & Crutcher, Los Angeles, CA  
 Colleen E. Curtin, Gibson, Dunn & Crutcher, Los Angeles, CA

**FACTS & ALLEGATIONS** In June 2001, plaintiff Ace Antenna Co. and Vernon Hills, Ill.-based Telular Corp. entered into a contract in which Ace sold wireless antennas to Telular. Subsequently, Chatsworth-based Ace Antenna Co., sued Telular Corp., alleging breach of contract. Telular Corp. then filed a cross-complaint against Ace Antenna.

Ace Antenna contended that Telular breached the contract when it failed to pay for antennas delivered to them.

Telular Corp. contended that it did not pay for the antennas that were delivered because they were defective.

**INJURIES/DAMAGES** On the complaint, Ace Antenna Co. claimed damages of \$206,000 for the breach of contract. On the cross-complaint, Telular claimed damages of \$539,018 for the defective antennas.

**RESULT** The jury found in favor of Ace Antenna and awarded \$107,500.

**DEMAND**             \$206,500  
**OFFER**                 None

**TRIAL DETAILS**    Trial Length: 3 days  
 Jury Deliberations: 2.5 days

**EXPERT(S)**         None reported

**POST-TRIAL** Ace Antenna's motion for attorney fees is pending. Telular Corp.'s motion for new trial is pending.

**EDITOR'S NOTE** Counsel for the defense did not contribute to this report.

—Randy Stewart