

Buchalter Wins Complete Defense Verdict in Trial of Alleged Whistleblower Retaliation Claims

On August 26, 2021, a Buchalter team led by Shareholder Joshua M. Robbins and Special Counsel Thomas Rickeman, won a complete defense verdict for client, Hotel California by the Sea, LLC, ending a five-week jury trial involving what began as over \$10 million in claims of whistleblower retaliation.

Hotel California by the Sea is an industry-leading behavioral health care provider that treats clients for substance use and mental health disorders. Licensed by the California Department of Health Care Services and accredited by the prestigious Joint Commission, Hotel California operates in multiple states across the country.

Filed in Orange County Superior Court, the case involved allegations by the company's former clinical director, a licensed psychologist, that the company had terminated her in response to her allegedly raising complaints about compliance issues. As revealed during trial however, plaintiff had an extensive history of serious performance issues, concealed from the company that she had been forced out of her prior job after a human resources investigation, and was an independent contractor all negating her claims. After less than one hour of deliberations, the jury returned a unanimous verdict rejecting plaintiff's claims in full.

"We are grateful for the jury's resounding statement: this case should never have been brought," said Robbins. "Hotel California by the Sea is committed to its work helping clients to overcome a debilitating disease, and proud of its record of

ethical conduct. This result will allow it to return its focus of saving and rebuilding lives.”

The case is Neeble-Diamond v. Hotel California by the Sea, LLC, Orange County Superior Court, No. 30-2019-01058756-CU-WT-CJC.