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Court Affirms Metro’s \$5.2 Million Judgment Against Subcontractor

(June 23, 2006) In a ruling Thursday, the Court of Appeal affirmed Metro’s judgment for \$5.2 million against a Metro Red Line subcontractor for violation of the California False Claims Act.

Oved & Associates, Pinhas Oved and their principals subcontracted under many of the contractors, such as Tutor-Saliba-Perini and Kajima Ray/Wilson, during the Red Line construction project. Oved sued Kajima for contract damages and Kajima sued Metro to recover any damages that Kajima might owe Oved.

After investigating Oved’s claims and finding them false, Metro then sued Oved for violation of the California False Claims Act.

During the course of trial preparation, Metro requested Oved’s electronic accounting files in an effort to prove that the company’s claims were false. Oved’s employees destroyed the evidence before it could be reviewed.

Metro then asked the court to terminate Oved’s case, due to willful destruction of evidence, and requested an entry of judgment in favor of the agency.

The Court of Appeal granted the request for termination and judgment was entered against Oved for \$5.2 million.

