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PRESS RELEASE

Feb. 15, 2010, 8:30 a.m. EST · Recommend · Post:

Florida Roofing Consultant Servcor International Sues Bayer AG Subsidiary for More Than \$50 Million, Alleges Drunken Executive Breached Agreements, Botched Massive Airport Contract



ST. PETERSBURG, Fla., Feb 15, 2010 (BUSINESS WIRE) -- In a lawsuit that details the complexities of working with large multi-national corporations on government contracts, Florida roofing and construction industry consultant Servcor International recently sued a Bayer AG subsidiary for more than \$50 million plus punitive damages. Servcor alleges that Bayer breached its partnership agreement with Servcor when it shut Servcor out of a \$15 million airport roofing contract. Bayer further violated its fiduciary duties to Servcor following a significant ethical breach by a Bayer executive who leaked confidential information to a roofing contractor customer and Servcor competitor. The suit alleges that the national sales manager disclosed the information while intoxicated at a business dinner.

The 32-count complaint names Bayer MaterialScience, LLC, a manufacturer of the components and materials used in spray-on polyurethane foam (SPF) roofs. Bayer MaterialScience is a subsidiary of Bayer AG, the German conglomerate best known in the United States for aspirin and other pharmaceutical products. The suit also names Insulated Roofing Contractors, a Kentucky roofing company, and Mike Gomez Construction Consultants, Inc., a Miami general contractor. The suit alleges breach of fiduciary duty, breach of contract, negligence, fraud and deceptive and unfair trade practices by Bayer, the existence of a conspiracy involving all defendants, and counts against IRC and/or Gomez for fraud, negligence and interference both with contractual and advantageous business relationships.

"We brought a significant contract to Bayer, only to have it taken from us following the inexplicable, drunken actions of a Bayer executive," said David Looney, president of Servcor



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International. "The breach of duty and conspiratorial acts of the defendants harmed our company's present and future sales as well as damaged the ultimate consumer." According to the complaint filed in Pinellas County, Fla. Circuit Court by Servcor attorney Daniel L. Moody of Tampa Bay area law firm Moody and Shea, P.A., Servcor was not only a distributor of Bayer's roofing products but also Bayer's business partner in many roofing related services while also providing business strategies to increase Bayer's market share. Servcor also built a strong relationship with the Miami-Dade Aviation Department which specified materials and services co-branded by Servcor and Bayer on a 10-acre roofing project at Miami International Airport, saving the county over \$10 million. According to the complaint, the drunken disclosure of confidential information by Bayer's sales manager set off a string of events wherein Bayer conspired to intentionally cause financial harm to Servcor and to put Servcor out of business.

Servcor International provides commercial roofing and waterproofing services to both consumers and product manufacturers. More information about Servcor is available at www.servcorintl.com or by calling (727) 894-3415. A copy of the lawsuit is available at <http://servcorintl.com/media.pdf>.

SOURCE: Servcor International

For Servcor International

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